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**JOURNAL**

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Senate  
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OF

**THE SENATE**

OF

**THE UNITED STATES OF AMERICA,**

**BEING THE FIRST SESSION OF THE THIRD CONGRESS:**

**BEGUN AND HELD**

**AT THE CITY OF PHILADELPHIA,**

**DECEMBER 2, 1793,**

**AND IN THE EIGHTEENTH YEAR OF THE INDEPENDENCE OF THE SAID STATES.**

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**VOLUME II.**

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**WASHINGTON:**

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**1820.**



# CONGRESS OF THE UNITED STATES.

**THE** first session of the third Congress, under the constitution of government of the United States, commenced this day at the City of Philadelphia, and the Senate assembled according to law.

**MONDAY, DECEMBER 2, 1793.**

**PRESENT,**

**JOHN ADAMS**, Vice President of the United States and President of the Senate.

From New Hampshire,	the Honorable	{ John Langdon, and Samuel Livermore.
Massachusetts,	the Honorable	George Cabot.
Connecticut,	the Honorable	Oliver Ellsworth.
Vermont,	the Honorable	Moses Robinson.
New York,	the Honorable	Aaron Burr.
New Jersey,	the Honorable	John Rutherford.
Pennsylvania,	the Honorable	{ Robert Morris, and Albert Gallatin.
Virginia,	the Honorable	James Monroe.
Kentucky,	the Honorable	John Edwards.
North Carolina,	the Honorable	Benjamin Hawkins.
South Carolina,	the Honorable	Ralph Izard.

Mr Langdon, the President of the Senate pro tempore, administered the oath required by law to the Vice President of the United States.

The Secretary read the credentials of the following Senators appointed for the terms respectively mentioned therein, to wit: of

The Honorable Pierce Butler, from the state of South Carolina.

The Honorable Alexander Martin, from the state of North Carolina, and

The Honorable John Vining, from the state of Delaware.

The Vice President administered the oath required by law to Mr. Butler, Mr. Gallatin, and Mr. Martin, respectively, and they took their seats in the Senate.

The Honorable Stephen Mix Mitchell, appointed by the state of Connecticut a Senator for two years, in the place of the Honorable Roger Sherman, deceased, produced his credentials, which being read, the Vice President administered to him the oath required by law, and he took his seat in the Senate.

The Vice President laid before the Senate the petition of Conrad Laub and others, relative to the appointment of the Honorable Mr. Gallatin a Senator of the United States; which was read.

*Ordered*, That this petition lie on the table.

The Vice President communicated a letter from the Honorable George Read, of the state of Delaware, resigning his seat in the Senate; which was read.

*Ordered*, That it lie on file.

*Ordered*, That the Secretary acquaint the House of Representatives that a quorum of the Senate is assembled, and ready to proceed to business.

*Ordered*, That Messrs. Izard and Langdon be a joint committee on the part of the Senate, together with such committee as the House of Representatives may appoint on their part, to wait on the President of the United States and notify him that a quorum of the two Houses is assembled, and ready to receive any communications that he may be pleased to make to them.

*Ordered*, That the Secretary acquaint the House of Representatives therewith, and request the appointment of a joint committee on their part.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: A quorum of the House of Representatives is assembled, and the House have elected Frederick Augustus Muhlenberg their Speaker. They have concurred with the Senate in the appointment of a joint committee to wait on the President of the United States. And he withdrew.

Mr. Izard reported, from the joint committee, that they had waited on the President of the United States, conformable to the order of the two Houses, and that the President had notified the committee that he would meet the two Houses of Congress to-morrow at twelve o'clock, in the Senate chamber.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, DECEMBER 3, 1793.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate are ready to meet them in the Senate chamber, to receive any communications the President of the United States may be pleased to make to the two Houses of Congress, and that the usual seats are assigned.

The House of Representatives having accordingly taken their seats, the President of the United States came into the Senate chamber, and addressed both Houses of Congress, as followeth:

*Fellow Citizens of the Senate,  
and of the House of Representatives:*

Since the commencement of the term for which I have been again called into office, no fit occasion has arisen for expressing to my fellow citizens at large the deep and respectful sense which I feel of the renewed testimony of public approbation. While, on the one hand, it awakened my gratitude for all those instances of affectionate partiality with which I have been honored by my country, on the other, it could not prevent an earnest wish for that retirement from which no private consideration should ever have torn me. But, influenced by the belief that my conduct would be estimated according to its real motives, and that the people, and the authorities derived from them, would support exertions having nothing personal for their object, I have obeyed the suffrage which commanded me to resume the executive power; and I humbly implore that Being on whose will the fate of nations depends to crown with success our mutual endeavors for the general happiness.

As soon as the war in Europe had embraced those powers with whom the United States have the most extensive relations, there was reason to apprehend that our intercourse with them might be interrupted, and our disposition for peace drawn into question by the suspicions too often entertained by belligerent nations. It seemed, therefore, to be my duty to admonish our citizens of the consequences of a contraband trade, and of hostile acts to any of the parties; and to obtain, by a declaration of the existing legal state of things, an easier admission of our right to the immunities belonging to our situation. Under these impressions, the proclamation which will be laid before you was issued.

In this posture of affairs, both new and delicate, I resolved to adopt general rules, which should conform to the treaties, and assert the privileges, of the United States. These were reduced into a system, which will be communicated to you. Although I have not thought myself at liberty to forbid the sale of the prizes, permitted by our treaty of commerce with France to be brought into our ports, I have not refused to cause them to be restored when they were taken within the protection of our territory, or by vessels commissioned or equipped in a warlike form within the limits of the United States.

It rests with the wisdom of Congress to correct, improve, or enforce, this plan of procedure; and it will probably be found expedient to extend the legal code and the jurisdiction of the courts of the United States to many cases which, though dependent on principles already recognized, demand some further provisions.

Where individuals shall, within the United States, array themselves in hostility against any of the powers at war; or enter upon military expeditions or enterprises within the jurisdiction of the United States; or usurp and exercise judicial authority within the United States; or where the penalties on violations of the law of nations may have been indistinctly marked, or are inadequate: these offences cannot receive too early and close an attention, and require prompt and decisive remedies.

Whatsoever those remedies may be, they will be well administered by the judi-

ary, who possess a long established course of investigation, effectual process, and officers in the habit of executing it.

In like manner, as several of the courts have doubted, under particular circumstances, their power to liberate the vessels of a nation at peace, and even of a citizen of the United States, although seized under a false color of being hostile property, and have denied their power to liberate certain captures within the protection of our territory; it would seem proper to regulate their jurisdiction in these points: but, if the Executive is to be the resort in either of the two last mentioned cases, it is hoped that he will be authorized by law to have facts ascertained by the courts, when, for his own information, he shall request it.

I cannot recommend to your notice measures for the fulfilment of our duties to the rest of the world, without again pressing upon you the necessity of placing ourselves in a condition of complete defence, and of exacting from them the fulfilment of their duties towards us. The United States ought not to indulge a persuasion, that, contrary to the order of human events, they will forever keep at a distance those painful appeals to arms with which the history of every other nation abounds. There is a rank due to the United States, among nations, which will be withheld, if not absolutely lost, by the reputation of weakness. If we desire to avoid insult, we must be able to repel it; if we desire to secure peace, one of the most powerful instruments of our rising prosperity, it must be known that we are at all times ready for war. The documents which will be presented to you will shew the amount and kinds of arms and military stores now in our magazines and arsenals; and yet an addition even to these supplies cannot, with prudence, be neglected, as it would leave nothing to the uncertainty of procuring of warlike apparatus in the moment of public danger.

Nor can such arrangements, with such objects, be exposed to the censure or jealousy of the warmest friends of republican government. They are incapable of abuse in the hands of the militia, who ought to possess a pride in being the depository of the force of the republic, and may be trained to a degree of energy equal to every military exigency of the United States. But, it is an inquiry which cannot be too solemnly pursued, whether the act "more effectually to provide for the national defence, by establishing an uniform militia throughout the United States," has organized them so as to produce their full effect; whether your own experience in the several states has not detected some imperfections in the scheme; and whether a material feature, in an improvement of it, ought not to be, to afford an opportunity for the study of those branches of the military art which can scarcely ever be attained by practice alone?

The connection of the United States with Europe has become extremely interesting. The occurrences which relate to it and have passed under the knowledge of the Executive, will be exhibited to Congress in a subsequent communication.

When we contemplate the war on our frontiers, it may be truly affirmed that every reasonable effort has been made to adjust the causes of disension with the Indians north of the Ohio. The instructions given to the commissioners evince a moderation and equity proceeding from a sincere love of peace, and a liberality having no restriction but the essential interests and dignity of the United States. The attempt, however, of an amicable negotiation having been frustrated, the troops have marched to act offensively. Although the proposed treaty did not arrest the progress of military preparation, it is doubtful, how far the advance of the season, before good faith justified active movements, may retard them, during the remainder of the year. From the papers and intelligence, which relate to this important subject, you will determine, whether the deficiency in the number of troops, granted by law, shall be compensated by succors of militia; or additional encouragements shall be proposed to recruits.

An anxiety has been also demonstrated by the Executive for peace with the Creeks and the Cherokees. The former have been relieved with corn and with clothing, and offensive measures against them prohibited during the recess of Congress. To satisfy the complaints of the latter, prosecutions have been instituted for the violences committed upon them. But the papers which will be delivered to you disclose the critical footing on which we stand in regard to both those tribes; and it is with Congress to pronounce what shall be done.

After they shall have provided for the present emergency, it will merit their most serious labors to render tranquility with the savages permanent, by creating ties of interest. Next to a rigorous execution of justice on the violaters of peace, the establishment of commerce with the Indian nations, in behalf of the United States, is most likely to conciliate their attachment. But it ought to be conducted without fraud, without extortion, with constant and plentiful supplies; with a ready market for the commodities of the Indians, and a stated price for what they give in payment and receive in exchange. Individuals will not pursue such a traffic, unless they be allured

by the hope of profit; but it will be enough for the United States to be reimbursed only. Should this recommendation accord with the opinion of Congress, they will recollect that it cannot be accomplished by any means yet in the hands of the Executive.

*Gentlemen of the House of Representatives:*

The commissioners, charged with the settlement of accounts between the United States and individual States, concluded their important functions within the time limited by law; and the balances struck in their report, which will be laid before Congress, have been placed on the books of the Treasury.

On the first day of June last, an instalment of one million of florins became payable on the loans of the United States in Holland. This was adjusted by a prolongation of the period of reimbursement, in nature of a new loan, at an interest of five per cent. for the term of ten years; and the expenses of this operation were a commission of three per cent.

The first instalment of the loan of two millions of dollars, from the Bank of the United States, has been paid, as was directed by law. For the second it is necessary that provision should be made.

No pecuniary consideration is more urgent than the regular redemption and discharge of the public debt; on none can delay be more injurious, or an economy of time more valuable.

The productiveness of the public revenues hitherto, has continued to equal the anticipations which were formed of it; but it is not expected to prove commensurate with all the objects which have been suggested. Some auxiliary provisions will, therefore, it is presumed, be requisite; and it is hoped that these may be made, consistently with a due regard to the convenience of our citizens, who cannot but be sensible of the true wisdom of encountering a small present addition to their contributions, to obviate a future accumulation of burthens.

But here I cannot forbear to recommend a repeal of the tax on the transportation of public prints. There is no resource so firm for the government of the United States as the affections of the people, guided by an enlightened policy; and to this primary good nothing can conduce more than a faithful representation of public proceedings, diffused, without restraint, throughout the United States.

An estimate of the appropriations necessary for the current service of the ensuing year, and a statement of a purchase of arms and military stores, made during the recess, will be presented to Congress.

*Gentlemen of the Senate,*

*and of the House of Representatives:*

The several subjects to which I have now referred open a wide range to your deliberations, and involve some of the choicest interests of our common country. Permit me to bring to your remembrance the magnitude of your task. Without an unprejudiced coolness, the welfare of the government may be hazarded; without harmony, as far as consists with freedom of sentiment, its dignity may be lost. But, as the legislative proceedings of the United States will never, I trust, be reproached for the want of temper or of candor, so shall not the public happiness languish from the want of my strenuous and warmest co-operation.

G. WASHINGTON.

*Philadelphia, December 3, 1793.*

The President of the United States having retired, the two Houses separated.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have resolved that two chaplains, of different denominations, be appointed to Congress for the present session, one by each House, who shall interchange weekly; in which they desire the concurrence of the Senate. And he withdrew.

Whereupon, the Senate proceeded to consider the said resolution, and

*Resolved,* That they do concur therein, and that the Right Reverend Bishop White be the Chaplain on the part of the Senate.

*Ordered,* That the Secretary communicate the concurrence of the Senate in this resolution, together with their proceedings thereon, to the House of Representatives.

A message was received from the President of the United States, by Mr. Dandridge, his Secretary, communicating the proclamation of the President, of the 22d of April, 1793; together with the rules established by the President of the United States for the government of the Executive officers, in cases of vessels equipping in the ports of the United States.

The proclamation and rules were read.



*Ordered*, That they lie on the table.

A motion was made that a committee, to consist of three, be appointed to prepare and report the draft of an address to the President of the United States, in answer to his speech this day to both Houses of Congress.

On motion,

It was agreed that this committee should consist of five; and Messrs. Ellsworth, Butler, Izard, Langdon, and Rutherford, were appointed.

*Ordered*, That the Secretary furnish the members of the Senate, respectively, with such newspapers as they shall direct, not exceeding three, to be left, from time to time during the session of Congress, at their several places of abode.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 4, 1793.

The Vice President laid before the Senate a letter from the Secretary for the Department of War, with sundry papers therein referred to, which letter and papers were in part read.

The Senate adjourned until 11 o'clock to-morrow morning.

### THURSDAY, DECEMBER 5, 1793.

The honorable Frederick Frelinghuysen, from the State of New Jersey, produced his credentials, which were read; and, the oath required by law being, by the Vice President, administered to him, he took his seat in the Senate.

The reading of the papers communicated on the 4th instant from the Secretary of War was resumed, and, after progress, postponed.

A message in writing was received from the President of the United States, by Mr. Dandridge, his Secretary, as follows:

*Gentlemen of the Senate*

*and of the House of Representatives:*

As the present situation of the several nations of Europe, and especially of those with which the United States have important relations, cannot but render the state of things between them and us matter of interesting inquiry to the legislature, and may indeed give rise to deliberations to which they alone are competent, I have thought it my duty to communicate to them certain correspondences which have taken place.

The representative and executive bodies of France have manifested generally a friendly attachment to this country, have given advantages to our commerce and navigation, and have made overtures for placing these advantages on permanent ground. A decree, however, of the National Assembly, subjecting vessels laden with provisions to be carried into their ports, and making enemy goods lawful prize in the vessel of a friend, contrary to our treaty, though revoked at one time as to the United States, has been since extended to their vessels also, as has been recently stated to us. Representations on this subject will be immediately given in charge to our minister there, and the result shall be communicated to the legislature.

It is with extreme concern I have to inform you that the proceedings of the person whom they have unfortunately appointed their minister plenipotentiary here have breathed nothing of the friendly spirit of the nation which sent him; their tendency, on the contrary, has been to involve us in war abroad and discord and anarchy at home. So far as his acts, or those of his agents, have threatened our immediate commitment in the war, or flagrant insult to the authority of the laws, their effect has been counteracted by the ordinary cognizance of the laws, and by an exertion of the powers confided to me. Where their danger was not imminent, they have been borne with, from sentiments of regard to his nation, from a sense of their friendship towards us, from a conviction that they would not suffer us to remain long exposed to the action of a person who has so little respected our mutual dispositions, and, I will add, from a reliance on the firmness of my fellow citizens in their principles of peace and order. In the mean time, I have respected and pursued the stipulations of our treaties, according to what I judged their true sense, and have withheld no act of friendship which their affairs have called for from us, and which justice to others left us free to perform. I have gone further: rather than employ force for the restitution of certain vessels which I deemed the United States bound to restore, I thought it more advisable to satisfy the parties by avowing it to be my opinion, that, if restitution were not made, it would be incumbent on the United States to make

compensation. The papers now communicated will more particularly apprise you of these transactions.

The vexations and spoliation understood to have been committed on our vessels and commerce, by the cruizers and officers of some of the belligerent powers, appeared to require attention; the proofs of these however not having been brought forward, the descriptions of citizens supposed to have suffered were notified, that, on furnishing them to the Executive, due measures would be taken to obtain redress of the past, and more effectual provisions against the future. Should such documents be furnished, proper representations will be made thereon, with a just reliance on a redress proportioned to the exigency of the case.

The British government having undertaken, by orders to the commanders of their armed vessels, to restrain generally our commerce in corn and other provisions to their own ports, and those of their friends, the instructions now communicated were immediately forwarded to our minister at that court. In the mean time, some discussions on the subject took place between him and them; these are also laid before you, and I may expect to learn the result of his special instructions in time to make it known to the legislature during their present session.

Very early after the arrival of a British minister here, mutual explanations on the inexecution of the treaty of peace were entered into with that minister; these are now laid before you for your information.

On the subjects of mutual interest between this country and Spain, negotiations and conferences are now depending; the public good requiring that the present state of these should be made known to the legislature *in confidence only*, they shall be the subject of a separate and subsequent communication.

G. WASHINGTON.

*United States, December 5, 1793.*

The message and papers therein referred to were in part read, and the further reading postponed.

By Mr. Dandridge also was received from the President of the United States the report of the commissioners appointed to execute the several acts of Congress to provide more effectually for the settlement of the accounts between the United States and the individual states; which report is as follows:

The Commissioners appointed to execute the several acts of Congress to provide more effectually for the settlement of the accounts between the United States and the individual states, Report:

That they have maturely considered the claims of the several states against the United States, and the charges of the United States against the individual states.

That they have gone through the process prescribed in the 5th section of the act of Congress, passed the 5th day of August, 1790, (the particulars whereof will be found in book A. lodged with the papers of this office, in the Treasury Department) and find, that there is due, including interest, to the 31st day of December, 1789, to the State of

New-Hampshire, seventy-five thousand and fifty-five dollars.

Massachusetts, one million two hundred forty-eight thousand eight hundred and one dollars.

Rhode-Island, two hundred ninety-nine thousand six hundred and eleven dollars.

Connecticut, six hundred and nineteen thousand one hundred and twenty-one dollars.

New-Jersey, forty-nine thousand and thirty dollars.

South-Carolina, one million two hundred and five thousand nine hundred and seventy-eight dollars.

Georgia, nineteen thousand nine hundred and eighty-eight dollars.

And that there is due, including interest, to the 31st day of December, 1789, from the State of

New-York, two million seventy-four thousand eight hundred and forty-six dollars.

Pennsylvania, seventy-six thousand seven hundred and nine dollars.

Delaware, six hundred and twelve thousand four hundred and twenty-eight dollars.

Maryland, one hundred and fifty-one thousand six hundred and forty dollars.

Virginia, one hundred thousand eight hundred and seventy-nine dollars.

North-Carolina, five hundred and one thousand and eighty-two dollars.

Which several sums, they, by virtue of the authority to them delegated, declare to be the final and conclusive balances due to, and from, the several states.

Office of the Commissioners of Accounts,  
Philadelphia, June 29, 1793.

WM. IRVINE,  
JOHN KEAN,  
WOODBURY LANGDON.

The report of the commissioners was read.

*Ordered*, That it lie on file.

After consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 6, 1793.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have proceeded to the election of a chaplain to Congress, on their part, and, upon examining the ballots, a majority of the votes of the whole House was found in favor of the Reverend Ashbel Green. And he withdrew.

Mr. Ellsworth reported from the committee appointed to consider and report the draft of an address to the President of the United States, and it was read.

On motion,

*Ordered*, That Monday next be assigned to take this report into consideration.

The Senate resumed the reading of the communications referred to in the message of the President of the United States of the 5th instant; and, after progress,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 9, 1793.

The honorable Stephen R. Bradley, from the state of Vermont, the honorable Theodore Foster, from the state of Rhode Island, and the honorable Rufus King, from the state of New York, respectively took their seats in the Senate.

The Vice President laid before the Senate a letter of the 7th instant, from Samuel Meredith, Treasurer of the United States, with his quarterly accounts made up to the 31st of March last, together with his accounts respecting the Department of War, made up to the 30th of June last.

The letter was read.

*Ordered*, That the letter and papers therein referred to lie on the table.

Agreeable to the order of the day, the Senate took into consideration the draft of an address reported by the committee, in answer to the speech of the President of the United States to Congress, at the opening of the session; which, being amended, and the several paragraphs of the report agreed to, it was adopted as follows:

#### *To the President of the United States:*

Accept, sir, the thanks of the Senate for your speech delivered to both Houses of Congress at the opening of the session. Your re-election to the chief magistracy of the United States gives us sincere pleasure. We consider it as an event every way propitious to the happiness of our country; and your compliance with the call, as a fresh instance of the patriotism which has so repeatedly led you to sacrifice private inclination to the public good. In the unanimity which a second time marks this important national act, we trace, with particular satisfaction, besides the distinguished tribute paid to the virtues and abilities which it recognizes, another proof of that just discernment, and constancy of sentiments and views, which have hitherto characterized the citizens of the United States.

As the European powers with whom the United States have the most extensive relations were involved in war, in which we had taken no part; it seemed necessary that the disposition of the nation for peace should be promulgated to the world, as well for the purpose of admonishing our citizens of the consequences of a contraband trade and of acts hostile to any of the belligerent parties, as to obtain, by a declaration of the existing legal state of things, an easier admission of our right to the immunities of our situation: we therefore contemplate with pleasure the proclamation by you issued, and give it our hearty approbation. We deem it a measure well-timed, and wise; manifesting a watchful solicitude for the welfare of the nation, and calculated to promote it.

The several important matters presented to our consideration will, in the course of the session, engage all the attention to which they are respectively entitled; and as the public happiness will be the sole guide of our deliberations, we are perfectly assured of receiving your strenuous and most zealous co-operation.

JOHN ADAMS,

*Vice President of the United States,  
and President of the Senate.*

*Ordered*, That Messrs. Ellsworth and Butler wait on the President of the United States, and desire him to acquaint the Senate at what time and place it will be most convenient for him that the foregoing address should be presented.

After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 10, 1793.

The honorable John Brown, from the state of Kentucky, attended.

Mr. Ellsworth reported, from the committee appointed yesterday to wait on the President of the United States, that the President proposed to receive the address of the Senate this day, at 12 o'clock, at his own house.

Whereupon,

The Senate waited on the President of the United States, and the Vice President, in their name, presented the address agreed to on the 9th instant.

To this address the President of the United States was pleased to make the following reply:

*Gentlemen:*

The pleasure expressed by the Senate on my re-election to the station which I fill, commands my sincere and warmest acknowledgments. If this be an event which promises the smallest addition to the happiness of our country, as it is my duty, so shall it be my study, to realize the expectation.

The decided approbation which the proclamation now receives from your house, by completing the proofs that this measure is considered as manifesting a vigilant attention to the welfare of the United States, brings with it a peculiar gratification to my mind.

The other important subjects which have been communicated to you will, I am confident, receive a due discussion; and the result will, I trust, prove fortunate to the United States.

G. WASHINGTON.

The Senate returned to their chamber.

On motion,

The reading of the papers communicated in the message of the President of the United States of the 5th instant was resumed; and, after progress,

The Senate adjourned until 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 11, 1793.

The honorable Caleb Strong, from the state of Massachusetts, attended.

The credentials of Mr. Strong and Mr. Brown were severally read, and the oath required by law being, by the Vice President, administered to them, they respectively took their seats in the Senate.

The Vice President laid before the Senate a letter from the Treasurer of the United States, with his specie account made up to the 30th of June last; which was read.

*Ordered*, That the letter, and accounts therein referred to, lie on the table.

The petition of George Taylor and others, principal clerks in the offices respectively mentioned in the said petition, was read, stating the advanced price of many of the necessaries of life, and praying further compensation.

*Ordered*, That this petition lie on the table.

On motion,

*Ordered*, That Messrs. Rutherford, Cabot, Ellsworth, Livermore, and Mitchell, be a committee to take into consideration the petition of Conrad Laub and others, stating, that the honorable Albert Gallatin, at the time he was elected a Senator of the United States, had not been nine years a citizen of the said United States, as is required by the constitution, and report thereon to the Senate.

The Senate resumed the reading of the papers referred to in the message of the President of the United States of the 5th instant; and, after progress,

The Senate adjourned to 11 o'clock on Friday morning.

### FRIDAY, DECEMBER 13, 1793.

The honorable William Bradford, from the state of Rhode Island, produced his credentials, which were read, and the oath required by law being, by the Vice President, administered to him, he took his seat in the Senate.



The honorable John Taylor, from the state of Virginia, attended.

The Senate resumed the reading of the papers communicated with the message of the President of the United States of the 5th instant.

*Ordered*, That the message and papers therein referred to lie for consideration.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, DECEMBER 16, 1793.

The honorable James Jackson, from the state of Georgia, produced his credentials, which were read, and the oath required by law being administered to him, he took his seat in the Senate.

The communications from the Secretary of the Department of War, of the 4th instant, were read.

*Ordered*, That they lie for consideration.

The Vice President laid before the Senate a letter from the Secretary for the Department of War, with a return of the ordnance, arms, and military stores, in possession of the United States; together with a variety of papers, giving a view of the southwestern frontiers, as connected with the Creek Indians and the state of Georgia; and the southwestern territory of the United States and the Cherokees; which letter was read.

*Ordered*, That the letter and papers therein referred to lie on the table.

A written message was received from the President of the United States, by Mr. Dandridge, his Secretary

This message respects the negotiations with the court of Spain, and is entered on the Executive records, folio 2, p. 4.

The message was read.

*Ordered*, That it lie for consideration.

Another written message was received at the same time from the President of the United States.

This message relates to the treaty with the Emperor of Morocco, and also the American citizens prisoners at Algiers, and is entered on the Executive records, folio 2, p. 8.

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The Vice President laid before the Senate the following report, to wit:

The Vice President of the United States and President of the Senate, the Chief Justice, the Secretary of State, the Secretary of the Treasury, and the Attorney General, respectfully report to Congress as follows:

That, pursuant to the act, entitled "An act making further provision for the reduction of the public debt," and, in conformity to resolutions agreed upon by them, and severally approved by the President of the United States, they have, since their report of the 17th of November, 1792, caused purchases of the said debt to be made, through the agency of Samuel Meredith and Jonathan Burrall, respectively, to the amount of five hundred twenty-three thousand seven hundred and thirty-five dollars and twenty-one cents in stock, for which there have been paid, in specie, four hundred twenty-six thousand eight hundred and forty-two dollars and seventy-five cents. That, pursuant to the act, entitled "An act supplementary to the act making provision for the debt of the United States," and in conformity to resolutions agreed upon by them, and severally approved by the President of the United States, they have also caused purchases of the said debt to be made subsequent to their said report of the 17th of November, 1792, to the amount of one hundred and twenty-two thousand five hundred and thirty-eight dollars and fourteen cents in stock, for which there have been paid seventy five thousand six hundred and sixty dollars and eighty-seven cents in specie.

That the several documents accompanying this report, marked Aa, B, A, and No. 1 to 7, with their inclosures, shew the aforesaid purchases, generally and in detail, including the places where, the time when, the prices at which, and the persons of whom, they have been made

That the purchases now and heretofore reported, amount together to two million and nineteen thousand one hundred and ninety-three dollars and ten cents in stock, for which there have been paid one million three hundred ninety-four thousand six hundred sixty-four dollars and forty cents in specie, as will be more particularly seen by the document aforesaid marked Aa.

On behalf of the Board:

JOHN ADAMS.

Philadelphia, 16th December, 1793.

The report was read.

*Ordered*, That this report, together with the papers therein referred to, lie on the table.

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 17, 1793.

The Hon. John Vining, from the state of Delaware, appeared, and the oath required by law being, by the Vice President, administered to him, he took his seat in the Senate.

The communications received from the President of the United States on the 16th instant, relative to the negotiations with the court of Spain, were in part read; and, after progress,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, DECEMBER 18, 1793.

The communications received from the President of the United States on the 16th instant, relative to the negotiations with the court of Spain, were read.

*Ordered*, That they lie for consideration.

The Vice President laid before the Senate a letter from the Secretary for the Department of War, of this date, communicating further information relative to the southwestern frontiers; which letter and papers were read.

*Ordered*, That they lie on the table.

The Vice President laid before the Senate a letter from the Secretary for the Department of State, of the 16th instant, with a report on the privileges and restrictions on the commerce of the United States in foreign countries; which were read.

*Ordered*, That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, DECEMBER 19, 1793.

The petition of Christian George, widow of William George, late sailingmaster on board the Sachem sloop of war, was read, praying to be allowed certain arrearages of half pay, due in right of her late husband.

On motion,

*Ordered*, That this petition be referred to Messrs. Butler, King, and Jackson, to consider and report thereon.

The communications received from the Secretary for the Department of War, on the 16th instant, relative to further information respecting the southwestern frontiers, were, in part, read; and, after progress,

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, DECEMBER 20, 1793.

The Senate resumed the reading of the communications from the Secretary for the Department of War, on the 16th instant, relative to further information respecting the southwestern frontiers; and, after progress,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, DECEMBER 23, 1793.

Mr. Bradley notified the Senate that, on Wednesday next, he should move for leave to bring in a bill for altering the flag of the United States.

The Senate resumed the reading of the communications from the Secretary for the Department of War, on the 16th instant, relative to further information respecting the southwestern frontiers; and, after progress,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, DECEMBER 24, 1793.

A message in writing was received from the President of the United States, by Mr. Dandridge, his Secretary, as follows:

*Gentlemen of the Senate*

*and of the House of Representatives:*

Since the communications which were made to you on the affairs of the United States with Spain, and on the truce between Portugal and Algiers, some other papers

have been received, which, making a part of the same subjects, are now communicated for your information.

G. WASHINGTON.

*United States, December 23, 1793.*

The message and papers referred to were read.

*Ordered,* That they lie for consideration.

Mr. Butler notified the Senate that he should, on some day the next week, request leave to bring in a bill, in addition to the act, entitled "An act to incorporate the subscribers to the Bank of the United States."

The petition of Eliphalet Ladd was presented and read, stating that he was the owner of the ship *Columbia*, Isaac Chauncey master, wrecked near Plymouth, in the state of Massachusetts, and praying to be discharged from a certain bond given to the collector for the district of Plymouth, for the payment of one hundred and ninety-six dollars and fifty three cents, being the impost duties on the goods saved from the said wreck.

*Ordered,* That this petition lie on the table.

The petition of Lewis Joseph Beaulieu, a captain in the legion of the late Count Polaskie, was read, praying for an augmentation of his pension, for reasons mentioned in the petition.

*Ordered,* That this petition lie on the table.

The following motion was made and seconded, to wit:

That the constitution be amended by adding, at the end of the ninth section of the first article, the following clause:

'Nor shall any person holding any office or stock in any institution in the nature of a bank for issuing or discounting bills or notes payable to bearer or order, under the authority of the United States, be a member of either house, whilst he holds such office or stock; but no power to grant any charter of incorporation, or any commercial or other monopoly, shall be hereby implied.'

And it was agreed that this motion should lie for consideration.

On motion,

*Ordered,* That Messrs. Strong, Ellsworth, and King, be a committee, to take into consideration that part of the President's speech which recommends a farther provision against offences.

The Senate resumed the reading of the communications from the Secretary for the Department of War, of the 16th instant, relative to further information respecting the southwestern frontiers; and, after progress,

The Senate adjourned to Thursday next, at 11 o'clock in the morning.

#### THURSDAY, DECEMBER 26, 1793.

Agreeable to notice given on the 23d instant, Mr. Bradley obtained leave to bring in a bill, making an alteration in the flag of the United States; and the bill was read the first time.

*Ordered,* That this bill pass to the second reading.

The Senate resumed the reading of the communications from the Secretary for the Department of War, of the 16th instant, relative to further information respecting the southwestern frontiers; and, after progress,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, DECEMBER 27, 1793.

The Senate proceeded to the second reading of the bill making an alteration in the flag of the United States; and, having amended the same,

*Ordered,* That this bill pass to the third reading.

The Senate resumed the reading of the communications from the Secretary for the Department of War, of the 16th instant, relative to further information respecting the southwestern frontiers.

*Ordered,* That the communications lie for consideration.

The Senate proceeded to the consideration of the Executive business before them; after which,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, DECEMBER 30, 1793.

The bill making an alteration in the flag of the United States was read the third time.

*Resolved*, That this bill pass; that the title thereof be, "An act making an alteration in the flag of the United States;" that it be engrossed, and that the Secretary desire the concurrence of the House of Representatives therein.

The petition of James and William Smith, of the state of Georgia, for themselves, and in behalf of the heirs of James Smith, was presented and read, praying for remedy and assistance in respect to certain losses sustained by the Creek Indians.

On motion,

*Ordered*, That this petition, together with the communications from the Secretary for the Department of War, respecting Indian Affairs, be referred to Messrs. Jackson, Strong, Burr, Butler, and Langdon, to consider and report thereon.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY DECEMBER 31, 1793.

The following written messages were received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I lay before you for your consideration a letter from the Secretary of State, informing me of certain impediments which have arisen to the coinage of the precious metals at the mint.

As also a letter from the same officer, relative to certain advances of money which have been made on public account. Should you think proper to sanction what has been done, or be of opinion that any thing more shall be done in the same way, you will judge whether there are not circumstances which would render secrecy expedient.

G. WASHINGTON.

*United States, December 30, 1793.*

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I communicate to you the translation of a letter received from the Representatives of Spain here, in reply to that of the Secretary of State to them, of the 21st instant, which had before been communicated to you.

G. WASHINGTON.

*United States, December 30, 1793.*

The messages and papers therein referred to were severally read.

*Ordered*, That they lie for consideration.

Mr. Rutherford reported, from the committee to whom was referred the petition of Conrad Laub and others, stating that the Hon. Albert Gallatin, at the time he was elected a Senator of the United States, had not been nine years a citizen of the said United States, as is required by the constitution; which report was read.

*Ordered*, That it lie for consideration.

The Senate proceeded to the consideration of the Executive business before them; after which,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 1, 1794.

The Senate proceeded to the consideration of the report of the committee to whom was referred the petition of Conrad Laub and others.

On motion to postpone the consideration of the report until to-morrow,

It was agreed to amend this motion, by striking out the words 'to-morrow,' and to insert, in lieu thereof, 'Thursday the ninth, instant.'

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I now lay before you a letter from the Secretary of State, with his account of the expenditure of the moneys appropriated for our intercourse with foreign nations from the 1st of July, 1792, to the 1st of July, 1793, and other papers relating thereto.

G. WASHINGTON.

*United States, December 31, 1793.*

The message and papers therein referred to were severally read.

*Ordered*, That they lie for consideration.

The Senate proceeded to the consideration of the Executive business before them; after which,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, JANUARY 2, 1794.

The petition of James Mathers, doorkeeper to the Senate, was presented and read, stating the enhanced price of the necessaries of life, and praying further compensation for his services.

*Ordered*, That this petition lie on the table.

A motion was made that it be

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, That the following article be proposed to the legislatures of the several states, as an amendment to the constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of the said constitution, to wit:

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state; on which,

A motion was made as follows:

*Resolved*, That the consideration of this motion be postponed, and that the Senate will, on the 10th instant, take into consideration the subject of amendments to the constitution. Whereupon,

It was agreed to divide the motion for amendment, and the first clause was adopted, to wit:

'That the consideration of the original motion be postponed;' and the latter clause of the motion for postponement being amended, it was

*Resolved*, That the Senate will, on the 13th instant, take into consideration the subject of amendments to the constitution.

After the consideration of the Executive business,

The Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, JANUARY 3, 1794.

A motion was made and seconded, that the Secretary of the Treasury lay before the Senate the following returns, to wit:

A statement of the goods, wares, and merchandise, exported from the several states from the 1st of July, 1792, to the 1st of July, 1793; specifying the quantities and value of each kind, and the several countries to which the same have respectively been exported.

A statement of the goods, wares, and merchandise, imported into the several states for the same period, specifying the quantities, and the prime cost, and dutied value, of each kind, and the several countries from which the same have respectively been imported.

A statement of the tonnage of foreign vessels entered into the several states during the same period; specifying the several countries to which the said vessels respectively belong.

A statement of the tonnage of the United States' vessels, entered into the several states during the same period; distinguishing those employed in fisheries, in the coasting and in the foreign trade, and specifying the several countries from which the said vessels employed in said trade came.

*Ordered*, That this motion lie for consideration.

The Senate adjourned to Monday next, at 11 o'clock in the morning.

MONDAY, JANUARY 6, 1794.

The Senate met agreeably to adjournment; and

On motion,

The Senate adjourned until 11 o'clock to-morrow morning.

TUESDAY, JANUARY 7, 1794.

The following written messages were received from the President of the United States, by Mr. Dandridge, his Secretary:



*Gentlemen of the Senate  
and of the House of Representatives:*

Experience has shewn that it would be useful to have an officer particularly charged, under the direction of the Department of War, with the duties of receiving, safe-keeping, and distributing the public supplies, in all cases in which the laws and the course of service do not devolve them upon other officers; and, also, with that of superintending in all cases the issues in detail of supplies, with power, for that purpose, to bring to account all persons entrusted to make such issues, in relation thereto.

An establishment of this nature, by securing a regular and punctual accountability for the issues of public supplies, would be a great guard against abuse, would tend to ensure their due application, and to give public satisfaction on that point.

I therefore recommend to the consideration of Congress, the expediency of an establishment of this nature, under such regulations as shall appear to them advisable.

G. WASHINGTON.

*United States, January 7, 1794.*

*Gentlemen of the Senate,  
and of the House of Representatives:*

I lay before you an official statement of the expenditure to the end of the year 1793, from the sum of ten thousand dollars, granted to defray the contingent expenses of government, by an act passed on the 26th of March, 1790.

G. WASHINGTON.

*United States, January 7, 1794.*

The messages and paper referred to in the last recited message were severally read.

*Ordered,* That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 8, 1794.

On motion,

*Ordered,* That the message of the President of the United States of the 7th instant, respecting the usefulness of an officer particularly charged with the duties of receiving, safe keeping, and distributing, the public supplies in certain cases, be referred to Messrs. Ellsworth, Taylor, and Bradley, to consider and report thereon to the Senate.

The following motion was made and seconded.

*Ordered,* That the Secretary of the Treasury do lay before this House the following statements, to wit:

First. A statement of the domestic debt of the United States, as due on the 1st. day of January 1794, specifying under distinct heads—

1st. The funded debt, distinguishing the six per cents, three per cents, and deferred stock, and in each kind of stock, stating, separately, the amount created by the assumption of the state debts:

2d. The registered debt.

3d. The debt subscribable to the loan of the United States, but which, not being funded or registered at the Treasury, is not entitled to a dividend.

4th. The balances due to creditor states and already funded, (if there be any such,) being the excess of the sum respectively by law assumed, for such states, above the sums actually subscribed in the debts of the said states.

5th. The domestic loans for cash contracted since the commencement of the present government, stating the respective times when borrowed, and when becoming due, together with the rate of interest.

6th. All other kinds of domestic debts not specially included under the five preceding heads, for the payment of which no appropriations have been made.

Second. A statement of the domestic debt redeemed since the commencement of the present government to the first day of January 1794; distinguishing the different species of debt, and specifying the mode of redemption, and, when redeemed for money, the amount of moneys expended in purchasing the same.

Third. A general statement of the foreign debt of the United States, as due on the 1st day of January, 1794; stating separately the French debt, the other debts contracted before the commencement of the present government, and the loans contracted since that time; and specifying in each debt or loan the original amount, the time from

which the interest commenced, the payments already made, with the dates of the same, and the places where paid, the amount yet due, and the respective times when the same shall become due.

Fourth. A specific account of the application of the moneys obtained upon foreign loans contracted since the commencement of the present government, to the 1st day of January, 1794, stating the amount of the moneys drawn over to America, and of those applied in Europe, together with the dates of such applications or drafts.

Fifth. A summary statement of the actual receipts and expenditures, from the commencement of the present government to the last day of December 1790, including all moneys received on account of the United States, such parts of the foreign loans as have not been drawn over to America only excepted: distinguishing the moneys received under each branch of the revenue and the moneys expended under each appropriation, and stating the balances of each branch of the revenue remaining unexpended on the 31st day of December 1790; specifying, separately, such balances as were on that day in the Treasury, and such as were uncollected or in hands of any banks, officers, or other persons.

Sixth. Similar and separate statements for the years 1791, 1792, and 1793, respectively, specifying separately in each statement under each branch of the revenue, the moneys received on account of the revenue of that year and those received on account of the revenue of each preceding year, and stating, so far as the same is now practicable, the amount of all moneys, bonds, or securities, on hand on the 1st day of January, 1794, with the times of payment of such bonds or securities.

*Ordered*, That this motion lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate for concurrence, entitled "An act making an alteration in the flag of the United States."

They have appointed a joint committee for enrolled bills on the part of the House, and desire the concurrence of the Senate in the appointment of a joint committee on their part. And he withdrew.

The Senate proceeded to the consideration of the order of the House of Representatives last mentioned, for the appointment of a joint committee; and

*Ordered*, That Mr. Vining be the committee on the part of the Senate.

*Ordered*, That the Secretary notify the House of Representatives of the concurrence of the Senate in this order.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, JANUARY 9, 1794.

Mr. Vining reported, from the Committee for Enrolled Bills, that they had examined the bill, entitled "An act making an alteration in the flag of the United States," and that it was duly enrolled.

Mr. Beckley, the Clerk of the House of Representatives, brought up the last mentioned enrolled bill signed by the Speaker. And he withdrew.

The Vice President signed the said enrolled bill, and it was delivered to the committee to be laid before the President of the United States for his approbation.

Mr. Vining, from the committee last mentioned, reported, that they had this day laid the said enrolled bill before the President of the United States.

Agreeable to the order of the day, the Senate took into consideration the report of the committee on the petition of Conrad Laub and others, respecting the appointment of the honorable Albert Gallatin to be a Senator of the United States.

On motion,

*Ordered*, That the further consideration of the report be postponed until to-morrow.

A motion was made, that the following amendment be recommended to the Legislatures of the respective states, as part of the constitution of the United States, two-thirds of both Houses agreeing thereto:

The powers of the Government of the United States shall not extend to curtail or abridge the limits of the United States, as defined in the treaty of peace between Great Britain and the said states, dated at Paris, the third day of September, 1783, nor shall the state rights of pre-emption to Indian hunting grounds, within the respective limits, after a fair treaty and sale, be questioned.

*Ordered*, That this motion lie on the table.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 10, 1794.

The Senate resumed the consideration of the report of the committee on the petition of Conrad Laub and others, respecting the appointment of the honorable Albert Gallatin a Senator of the United States; which report is as follows:

The committee, to whom was referred the petition of Conrad Laub and others, stating that the honorable Albert Gallatin, at the time he was elected a Senator of the United States, had not been nine years a citizen of the said United States, as is required by the constitution, Report:

That the committee have conferred with Mr. Michael Schmyser, agent for the petitioners, and with Mr. Gallatin; that Mr. Schmyser has declared that the petitioners are ready to adduce proofs in support of the petition at such time as the Senate may think proper to appoint; that Mr. Gallatin states no objection to the trial's commencing at an early day. The committee therefore recommend that the Senate agree to the following resolution.

*Resolved*, That — be assigned for hearing the petition of Conrad Laub and others respecting Mr. Gallatin's right to a seat in the Senate, and that Messrs. Gallatin and Schmyser be furnished with a copy of this resolution.

On motion,

It was agreed to postpone the report of the committee, and to take into consideration the following resolution:

*Resolved*, That a Committee of Elections, to consist of seven, be appointed, to report rules for receiving petitions and conducting inquiries relative to the qualifications of a Senator; and that the petition of Conrad Laub and others be referred to the same committee, to state the facts, and that they be authorized to send for persons and papers.

On which a motion was made and seconded to postpone this motion and to take up the following:

That — be a committee to ascertain and state to the Senate the facts relative to the time when the honorable Albert Gallatin became a citizen of the United States, and that the said committee have power to send for persons and papers.

Whereupon, a motion was made and seconded, to postpone the preceding, and to take into consideration the following motion:

*Resolved*, That a Committee of Elections be appointed, and that the petition of Conrad Laub and others be referred to it, to report their opinion on the merits of the said petition.

And, after debate,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 13, 1794.

Mr. Dandridge notified the Senate, that the President of the United States hath this day approved and signed a bill which originated in the Senate, entitled "An act making an alteration in the flag of the United States."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The Senate resumed the consideration of the petition of Conrad Laub and others, respecting the appointment of Mr. Gallatin to be a Senator of the United States.

On motion,

*Ordered*, That a committee of elections, to consist of seven, be appointed, and that the petition of Conrad Laub and others be referred, without prejudice as to any questions which may, upon the hearing, be raised by the sitting member, as to the sufficiency of the parties and the matter charged in the petition, to the same committee, to state the facts, and that they be authorized to send for persons and papers; also, that Messrs. Bradley, Ellsworth, Mitchell, Rutherford, Brown, Livermore, and Taylor, be this committee.

Agreeable to the order of the day, the Senate took into consideration the subject of amendments to the constitution of the United States; and,

It was agreed to consider at this time the following motion:

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, two-thirds of both Houses concurring, That the following article be proposed to the legislatures of the several states, as an amendment to the constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of the said constitution, to wit:

The judicial power of the United States shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States by citizens of another state, or by citizens or subjects of any foreign state:



And, after debate,

The further consideration thereof was postponed until to-morrow.

On motion,

*Ordered*, That the further consideration of the motions of the 24th of December last, and the 9th of January instant, on the subject of amendments to the constitution of the United States, be postponed until to-morrow, and that the several motions on this subject be printed for the use of the Senate.

The Senate resumed the consideration of the motion made the third instant, respecting certain statements from the Secretary of the Treasury, and having agreed to sundry amendments thereon, it was adopted, as follows:

*Ordered*, That the Secretary of the Treasury lay before the Senate a statement of the goods, wares, and merchandise, exported from the several states from the first day of July, 1792, to the 30th day of June, 1793; specifying the quantities and value of each kind, and the several countries to which the same have respectively been exported.

Statements of the goods, wares, and merchandise, imported into the several states, from the 1st day of July, 1791, to the 30th day of June, 1792, and from the 1st day of July, 1792, to the 30th day of June, 1793; specifying, for each period, separately, the quantities and the prime cost and dutied values of each kind, and the several countries from which the same have respectively been imported.

Statements of the tonnage of foreign vessels, entered into the several states, from the 1st day of July, 1791, to the 30th day of June, 1792, and from the 1st day of July, 1792, to the 30th day of June, 1793; specifying, for each period, separately, the several countries to which the said vessels respectively belong.

Statements of the tonnage of the United States' vessels, entered into the several states, from the 1st day of July, 1791, to the 30th day of June, 1792, and from the 1st day of July, 1792, to the 30th day of June, 1793; distinguishing, for each period, separately, those employed in fisheries, in the coasting and in the foreign trade, and specifying the several countries from which the said vessels employed in the foreign trade came.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, JANUARY 14, 1794.

Agreeable to the order of the day, the Senate took into consideration the motion made yesterday for an amendment to the constitution of the United States, respecting the judicial power thereof.

On motion by Mr. Gallatin,

That the motion be amended, to read as follows:

'The judicial power of the United States, except in cases arising under treaties, made under the authority of the United States, shall not be construed to extend to any suit in law or equity, commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state.'

It passed in the negative.

On motion,

That the motion be amended, to read as follows:

'The judicial power of the United States extends to all cases in law and equity in which one of the United States is a party; but no suit shall be prosecuted against one of the United States by citizens of another state, or by citizens or subjects of a foreign state, where the cause of action shall have arisen before the ratification of this amendment.'

It passed in the negative.

And, on the question to agree to the resolution as follows:

*Resolved*, by the Senate and House of Representatives of the United States of America in Congress assembled, two thirds of both Houses concurring, That the following article be proposed to the legislatures of the several states, as an amendment to the constitution of the United States; which, when ratified by three-fourths of the said legislatures, shall be valid as part of the said constitution, to wit:

The judicial power of the United States shall not be construed to extend to any suit in law or equity commenced or prosecuted against one of the United States, by citizens of another state, or by citizens or subjects of any foreign state:

It passed in the affirmative, { Yeas . . . . . 23  
Nays . . . . . 2.

The yeas and nays being required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Bradford, Bradley, Brown, Burr, Butler, Cabot, Edwards, Ellsworth, Foster, Frelinghuysen, Hawkins, Jackson, Izard, King, Langdon, Livermore, Martin, Mitchell, Monroe, Robinson, Strong, Taylor, and Vining.

Those who voted in the negative, are,  
Messrs. Gallatin and Rutherford.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this resolution.

The Senate proceeded to the consideration of the following motion, viz.

That the constitution be amended by adding, at the end of the 9th section, of the 1st article, the following clause:

‘Nor shall any person, holding any office or stock in any institution in the nature of a bank, for issuing or discounting bills or notes payable to bearer or order, under the authority of the United States, be a member of either house, whilst he holds such office or stock; but no power to grant any charter of incorporation, or any commercial or other monopoly, shall be hereby implied.’

And, after debate,

*Ordered*, That the further consideration of this motion be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, JANUARY 15, 1794.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I lay before you, as being connected with the correspondence already in your possession, between the Secretary of State and the minister plenipotentiary of the French Republic, the copy of a letter from that minister, of the 25th of December, 1793; and a copy of the proceedings of the Legislature of the state of South Carolina.

G. WASHINGTON.

*United States, January 15, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The Senate resumed the consideration of the motion made yesterday for an amendment to the constitution of the United States, inhibiting the holders of any office or stock in the Bank of the United States from a seat in either House of Congress.

On motion to amend the motion, to be read as follows:

‘Nor shall any person holding any office in any institution in the nature of a bank, under the authority of the United States, be a member of either house whilst he holds such office; but no power to grant any charter of incorporation, or any commercial or other monopoly, shall be hereby implied.’

And, after debate, the further consideration thereof was postponed until to-morrow.

The Senate adjourned until 11 o'clock to-morrow morning.

### THURSDAY, JANUARY 16, 1794.

The Senate resumed the consideration of the motion made yesterday to amend the motion under consideration the 14th instant, for an amendment to the constitution of the United States, inhibiting the holders of any office or stock in the Bank of the United States from a seat in either House of Congress.

On motion to amend the amendment, so that it be read as follows:

‘Nor shall any person holding any office in the Bank of the United States be a member of either House, whilst he holds such office; but no power to grant any charter of incorporation, or any commercial or other monopoly, shall be hereby implied.’

It passed in the affirmative, { Yeas . . . . . 13  
  { Nays . . . . . 12.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Gallatin, Hawkins, Jackson, Izard, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, King, Langdon, Livermore, Mitchell, Morris, Strong, and Vining.

On motion,

On motion,  
It was agreed to expunge the following clause of the motion last adopted:

It was agreed to expunge the following clause of the motion last adopted:  
 'But no power to grant any charter of incorporation, or any commercial or other monopoly, shall be hereby implied:' and,

On the question to agree to the motion, amended as follows:

‘Nor shall any person holding any office in the Bank of the United States be a member of either House, whilst he holds such office.’

It passed in the negative, { Yeas . . . . . 12  
Nays . . . . . 13.

} Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Those who voted in the affirmative, are,  
Messrs. Bradley, Brown, Burr, Butler, Edwards, Gallatin, Hawkins, Jackson, Martin,  
Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Izard, King, Langdon, Livermore, Mitchell, Morris, Strong, and Vining.

On motion,

On motion,  
It was agreed that the further consideration of amendments to the constitution of the United States be postponed.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

and of the House of Representatives:

I transmit, for your information, certain intelligence lately received from Europe, as it relates to the subject of my past communications.

**G. WASHINGTON.**

*United States, January 16, 1794.*

The message and papers referred to were read.

Ordered, That they lie for consideration.

*Ordered*, That the Secretary for the Department of State be requested to lay before the Senate a translation of the Act of Navigation passed by the National Convention of France, communicated this day in the original.

Agreeable to notice given, Mr. Butler obtained leave to bring in a bill to amend the act, entitled "An act to incorporate the subscribers to the Bank of the United States;" which was read the first time.

On motion,

That this bill have a second reading, in the words following, to wit:

Whereas it is inexpedient that the government of the United States should continue to hold any stock in the Bank of the United States, or have any political connection with the said Bank, or any other connection with it, otherwise than in common with other banks within the United States:

1st. Be it therefore enacted by the Senate and House of Representatives in Congress assembled, and by the authority of the same, That the 11th and 16th articles of the 7th section, and the 9th section, of the act, entitled "An act to incorporate the subscribers to the Bank of the United States," be, and the same are hereby, repealed.

2d. Be it further enacted, That the President of the United States be, and he is hereby, authorized to dispose of, by sale, in such manner as he shall deem most conducive to the public interest, and as soon as may be after the passing of this act, all the interest or stock which the public were possessed of, or entitled to, in the said Bank, by virtue of their subscription to the same, in conformity to the 11th section of said act, the proceeds of which sales shall be disposed of as hereafter directed.

And whereas it is desirable that the debt due by the United States to the said bank, by virtue of the subscription aforesaid, should be discharged at as early a period as may be, as well that the parties interested in the institution may become possessed of the funds, by which it is designed to be constituted, as the public completely exonerated from all claims or demands on that account:

3d. Be it further enacted, That the President of the United States be, and he is hereby, authorized to cause to be adjusted, if practicable, with the directors of said bank, upon such terms as shall be deemed just and reasonable, the balance which may be due by the United States to said bank by virtue of said subscription, and the amount to be paid off, at such time or times as shall be agreed on, out of the proceeds of the sales of said stock: Provided, nevertheless, That nothing herein contained shall be construed to imply any obligation on the said directors to accept of any adjustment, or payments, other than contained in, and specified by, the act aforesaid.

4th. And be it further enacted, That, if any surplus or balance shall remain from the sales aforesaid, after such adjustment with, or payment to, the directors aforesaid, such balance shall be, and is hereby, applied to.

It passed in the negative, { Yeas . . . . . 12  
Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Gallatin, Hawkins, Jackson, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Izard, King, Langdon, Livermore, Mitchell, Morris, Strong, and Vining.

On motion, by Mr. Martin,

That the Senate adopt the following resolutions:

*Resolved*, That, in all representative governments, the representatives are responsible for their conduct to their constituents, who are entitled to such information that a discrimination and just estimate be made thereof.

*Resolved*, That the Senate of the United States, being the representatives of the sovereignties of the individual states, whose basis is the people, owe equal responsibility to the powers by which they are appointed, as if that body were derived immediately from the people, and that all questions and debates, arising thereupon in their legislative and judiciary capacity ought to be public.

*Resolved*, That the mode adopted by the Senate of publishing their journals, and extracts from them, in newspapers, is not adequate to the purpose of circulating satisfactory information. While the principles and designs of the individual members are withheld from public view, responsibility is destroyed, which, on the publicity of their deliberations, would be restored; the constitutional powers of the Senate become more important, in being more influential over the other branch of the legislature; abuse of power, mal-administration of office, more easily detected and corrected; jealousies, rising in the public mind from secret legislation, prevented; and greater confidence placed by our fellow citizens in the national government, by which their lives, liberties, and properties, are to be secured and protected.

*Resolved*, therefore, That it be a standing rule, that the doors of the Senate Chamber remain open while the Senate shall be sitting in a legislative and judiciary capacity, except on such occasions as in their judgment may require secrecy; and that this rule commence on — day of —.

*Ordered*, That this motion lie for consideration, and that, in the mean time, the proposed resolutions be printed for the use of the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, JANUARY 17, 1794.

The Senate resumed the consideration of the subject of amendments to the constitution of the United States; and, after debate,

On motion,

It was agreed that the further consideration thereof be postponed.

Agreeable to the order of the day, the Senate proceeded to the consideration of the motion made yesterday, that the doors of the Senate Chamber remain open under certain restrictions; and,

On motion,

It was agreed that the further consideration thereof be postponed until Wednesday next.

On motion,

That the Senate adopt the following order:

'That the Secretary of State be directed to lay before the Senate the correspondences which have been had between the minister of the United States at the Republic of France and said Republic, and between said minister and the office of Secretary of State.'

*Ordered*, That this motion lie until Monday next.

The Senate resumed the consideration of the motion of the 8th of January instant, that the Secretary of the Treasury lay before the Senate certain statements of the public debt; and,

On motion,

*Ordered*, That the further consideration thereof be postponed until Monday next.



The petition of Andrew Graydon, chief clerk to the Treasurer of the United States, was presented and read, praying further compensation for his services.

*Ordered*, That this petition lie on the table.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, JANUARY 20, 1794.

The petition of Thomas Person and others, a committee on behalf of themselves and the other purchasers of lands in the ceded territory south of the Ohio, referring to a petition presented to the legislature of the state of North Carolina, praying for redress of certain matters therein contained, was presented and read.

*Ordered*, That this petition lie on the table.

On motion,

It was agreed that the motion made on the 17th instant, That the Secretary for the department of State be directed to lay before the Senate the correspondences which have been had between the minister of the United States at the Republic of France and said Republic, should be further postponed.

The consideration of the motion made on the 8th instant, that the Secretary for the Department of Treasury be requested to lay before the Senate certain statements of the public debt, was resumed, and, being amended, was adopted, as follows:

*Ordered*, That the Secretary of the Treasury do lay before this House the following statements, to wit:

First. A statement of the domestic debt of the United States as due on the 1st day of January, 1794, specifying, under distinct heads—

1st. The funded debt, distinguishing the six per cents, three per cents, and deferred stock, and in each kind of stock stating, separately, the amount created by the assumption of the State debts.

2d. The registered debt.

3d. The debt subscribable to the loan of the United States, but which, not being funded or registered at the Treasury, is not entitled to a dividend.

4th. The balances due to creditor States and already funded, if there be any such, being the excess of the sums respectively by law assumed for such States, above the sums actually subscribed in the debts of the said States.

5th. The domestic loans for cash contracted since the commencement of the present government, stating the respective times when borrowed and when becoming due, together with the rate of interest.

6th. All other kinds of domestic debts not specially included under the five preceding heads, for the payment of which, no appropriations have been made.

Second. A statement of the domestic debt redeemed since the commencement of the present government, to the first day of January, 1794; distinguishing the different species of debt, and specifying the mode of redemption, and, when redeemed for money, the amount of moneys expended in purchasing the same.

Third. A general statement of the foreign debt of the United States as due on the 1st day of January 1794; stating, separately, the French debt, the other debts contracted before the commencement of the present government, and the loans contracted since that time; and specifying, in each debt or loan, the original amount, the time from which the interest commenced, the payments already made, with the dates of the same, and the places where paid, the amount yet due, and the respective times when the same shall become due.

Fourth. A specific account of the application of the moneys obtained upon foreign loans, contracted since the commencement of the present government, to the 1st day of January, 1794; stating the amount of the moneys drawn over to America, and of those applied in Europe, together with the dates of such applications or drafts.

Fifth. A summary statement of the actual receipts and expenditures from the commencement of the present government to the last day of December, 1790, including all moneys received on account of the United States, such parts of the foreign loans as have not been drawn over to America only excepted; distinguishing the moneys received under each branch of the revenue, and the moneys expended under each appropriation, and stating the balances of each branch of the revenue remaining unexpended on the 31st day of December, 1790; specifying separately such balances as were on that day in the Treasury, and such as were uncollected or in the hands of any banks, officers, or other persons.

Sixth. Similar and separate statements for the years 1791 and 1792, respectively, and, so far as the same is now practicable, for the year 1793; specifying, separately, in each statement, under each branch of the revenue, the moneys received on account of the

revenue of that year and those received on account of the revenue of each preceding year, and stating, so far as the same is now practicable, the amount of all moneys, bonds, or securities, on hand, on the first day of January, 1794, with the times of payment of such bonds or securities.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, JANUARY 21, 1794.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate  
and of the House of Representatives:*

Having already laid before you a letter of the 16th of August, 1793, from the Secretary of State to our minister at Paris, stating the conduct and urging the recal, of the minister plenipotentiary of the Republic of France, I now communicate to you, that his conduct has been unequivocally disapproved; and that the strongest assurances have been given, that his recal should be expedited without delay.

G. WASHINGTON.

*United States, January 20, 1794.*

The message was read.

*Ordered,* That it lie on file.

The memorial of the people called quakers, from the yearly meeting held at Rhode Island for New England, in the year 1793, was presented and read, praying Congress to exercise the authority vested in them by the constitution for the suppression of the slave trade.

*Ordered,* That this petition lie on the table.

The petition of Jacob Milligan was presented and read, praying compensation for losses sustained, whilst in the service of the United States.

*Ordered,* That this petition lie on the table.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,  
and of the House of Representatives:*

It is with satisfaction I announce to you that the alterations which have been made by law in the original plan for raising a duty on spirits distilled within the United States, and on stills, co-operating with better information, have had a considerable influence in obviating the difficulties, which have embarrassed that branch of the public revenue. But the obstacles which have been experienced, though lessened, are not yet entirely surmounted; and it would seem that some further legislative provisions may usefully be superadded; which leads me to recal the attention of Congress to the subject. Among the matters which may demand regulation, is the effect, in point of organization, produced by the separation of Kentucky from the state of Virginia; and the situation, with regard to the law, of the territories northwest and southwest of the Ohio.

The laws respecting light-house establishments require, as a condition of their permanent maintenance, at the expense of the United States, a complete cession of soil and jurisdiction. The cessions of different states having been qualified with a reservation of the right of serving legal process within the ceded jurisdiction, are understood to be inconclusive, as annexing a qualification not consonant with the terms of the law. I present this circumstance to the view of Congress, that they may judge whether any alteration ought to be made.

As it appears to be conformable with the intention of the "ordinance for the government of the territory of the United States northwest of the river Ohio," although it is not expressly directed, that the laws of that territory should be laid before Congress, I now transmit to you a copy of such as have been passed, from July to December, 1792, inclusive; being the last which have been received by the Secretary of State.

G. WASHINGTON.

*United States, January 21, 1794.*

The message and copy of laws referred to were read.

*Ordered,* That this message lie for consideration.

On motion,

*Ordered*, That Messrs. Bradley, Livermore, and Brown, be a committee to take into consideration the laws passed in the territory of the United States northwest of the river Ohio, from July to December, 1792, inclusive, and report thereon to the Senate. The Senate adjourned to 11 o'clock to-morrow morning.

## WEDNESDAY, JANUARY 22, 1794.

The Vice President laid before the Senate sundry communications from the Secretary for the Department of War, respecting a treaty of peace lately concluded by James Seagrove, agent for Indian affairs on behalf of the United States, with the chiefs and warriors on behalf of the Creek Indians.

The papers communicated were read.

*Ordered*, That they lie on the table.

Agreeable to the order of the day, the Senate took into consideration the motion made the 16th instant, that the doors of the Senate chamber 'should remain open whilst the Senate shall be sitting in a legislative and judiciary capacity.'

On motion,

It was agreed to postpone the consideration of this subject to this day fortnight. The Senate adjourned to 11 o'clock to-morrow morning.

## THURSDAY, JANUARY 23, 1794.

On motion, by Mr. Cabot,

That a committee be appointed to consider of the expediency of allowing the drawback on the re-exportation of goods, wares, and merchandise, from ports other than those into which they were first imported, and to report a bill for that purpose, if they shall think it proper:

*Ordered*, That this motion lie for consideration.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I forward to you extracts from the last advices from our minister in London, as being connected with communications already made.

G. WASHINGTON.

*United States, January 22, 1794.*

The message and extracts were read.

*Ordered*, That they lie for consideration.

A message from the House of Representatives, by Mr. Lambert, in the absence of Mr. Beckley, their Clerk, detained by sickness:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act for completing and better supporting the military establishment of the United States;" in which they desire the concurrence of the Senate. And he withdrew.

The bill was read the first time.

*Ordered*, That this bill pass to the second reading.

The motion made on the 17th instant, that the Secretary of State be directed to lay before the Senate the correspondences which have been had between the minister of the United States at the Republic of France and said Republic, and between said minister and the office of the Secretary of State, was resumed; and

A motion was made to amend the motion, to be read as follows:

'That the President of the United States be requested to lay before the Senate the correspondences which have been had between the minister of the United States at the Republic of France and said Republic, and between said minister and the office of Secretary of State;' and, after debate,

The Senate adjourned to 11 o'clock to-morrow morning.

## FRIDAY, JANUARY 24, 1794.

The Senate resumed the consideration of the motion made the 17th instant, together with the amendment proposed on the 23d, respecting the correspondences which have been had between the minister of the United States at the Republic of France and said Republic.





difficulties with the Creeks had been amicably and happily terminated. But it will be perceived with regret, by the papers herewith transmitted, that the tranquillity has unfortunately been of short duration, owing to the murder of several friendly Indians, by some lawless white men.

The condition of things in that quarter requires the serious and immediate consideration of Congress; and the adoption of such wise and vigorous laws as will be competent to the preservation of the national character, and of the peace made under the authority of the United States with the several Indian tribes. Experience demonstrates that the existing legal provisions are entirely inadequate to those great objects.

G. WASHINGTON.

*United States, January 30, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act for completing, and better supporting, the military establishment of the United States;" and, after debate,

*Ordered*, That the consideration thereof be further postponed.

After consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, JANUARY 31, 1794.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act for completing, and better supporting, the military establishment of the United States;" and, after debate,

*Resolved*, That this bill do not pass.

*Ordered*, That the Secretary notify the House of Representatives that the Senate do not concur in this bill.

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, FEBRUARY 3, 1794.

The Senate took into consideration the message of the President of the United States, of the 30th of December last, respecting certain impediments in the coinage of the precious metals, together with the report of the Secretary for the Department of State thereon.

On motion,

*Ordered*, That Messrs. Cabot, Izard, and Ellsworth, be a committee to take into consideration and report on that part of the message of the President of the United States, of the 30th of December last, which respects certain impediments to the coinage of the precious metals, together with the report of the Secretary for the Department of State thereon.

The Senate proceeded to the consideration of the last paragraph of the said message, and the papers to which it refers; and,

On motion,

*Ordered*, That they be committed to the committee last mentioned, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, FEBRUARY 4, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within the United States, as may be found in want of support," in which they desire the concurrence of the Senate. And he withdrew.

This bill was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, FEBRUARY 5, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within

the United States, as may be found in want of support," was read the second time; and, after debate, the further consideration thereof was postponed until to-morrow.

Mr. Cabot reported from the committee appointed to take into consideration the last clause of the message of the President of the United States, of the 30th December, which report was read; and, after debate,

*Ordered*, That it lie on the table.

Agreeable to the order of the day, the Senate resumed the consideration of the motion made the 16th January last, that the doors of the Senate remain open while the Senate shall be sitting in a legislative and judiciary capacity.

On motion,

*Ordered*, That the consideration thereof be postponed to this day fortnight.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 6, 1794.

The honorable Mr. Potts, from the state of Maryland, attended.

The petition of Jonathan Holton, late a lieutenant in the militia of New Hampshire, was presented and read, stating that he was wounded in the battle of Bennington, and disabled from labor, and praying to be reinstated in the list of invalid pensioners.

*Ordered*, That this petition be referred to the Secretary for the Department of War, to consider and report thereon to the Senate.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within the United States, as may be found in want of support."

On motion,

That it be recommitted for the purpose of further inquiry,

It passed in the negative.

And, after agreeing to an amendment,

*Ordered*, That this bill pass to the third reading.

Agreeable to the order of the day, the Senate proceeded to the consideration of the report of the committee on the last clause of the message of the President of the United States, of the 30th December.

On motion,

To recommit the report, and that the committee be instructed to bring in a bill for the purposes therein mentioned

It passed in the negative.

On motion,

It was agreed that the report of the committee be adopted.

Whereupon,

A resolution passed, as is entered at large on the Executive records of this date.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this resolution.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 7, 1794.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary.

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I transmit to you an act and three ordinances, passed by the government of the territory of the United States south of the river Ohio, on the 13th and 21st of March, and the 7th of May, 1793; and, also, certain letters from the minister plenipotentiary of the French Republic, to the Secretary of State, enclosing dispatches from the general and extraordinary commission of Guadaloupe.

*United States, February 7, 1794.*

G. WASHINGTON.

The message and papers therein referred to were read.

*Ordered*, That the act and three ordinances mentioned in the message be referred to the committee appointed the 21st of January last, to whom were referred the laws passed in the territory northwest of the Ohio, to consider and report thereon to the Senate.

*Ordered*, That the other papers referred to in the message lie for consideration.

The Senate proceeded to the third reading of the bill, sent from the House of Representatives for concurrence, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within the United States, as may be found in want of support." Whereupon,

*Resolved*, That this bill pass as amended.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment to this bill.

On motion,

*Resolved*, That the resolution passed yesterday, on the report of the committee appointed to consider the last paragraph of the message from the President of the United States, of the 30th of December last, be reconsidered.

*Ordered*, That Messrs. Burr, Ellsworth, and King, be a committee to take into consideration the message from the President of the United States of the 30th December, and that the committee be directed to report a bill to carry the same into execution.

The Vice President laid before the Senate a letter from the Treasurer of the United States, together with his War Department account; which were read.

*Ordered*, That they lie on the table.

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 10, 1794.

The Vice President laid before the Senate a letter from the Secretary for the Department of the Treasury, in reference to the orders of Senate of the 20th January last, for a return of sundry statements from that department; which letter was read.

Mr. Bradley reported from the committee to whom was referred the petition of Conrad Laub and others, respecting the appointment of Mr. Gallatin to be a Senator of the United States; and the report was read.

On motion,

*Ordered*, That Wednesday next be assigned to take this report into consideration, and that, in the mean time, it be printed for the use of the Senate.

On motion,

That the Senate adopt the following resolution:

*Resolved*, That the doors of the Senate be opened, and continue open, during the discussion upon the contested election of Albert Gallatin.

*Ordered*, That this motion lie on the table until to-morrow.

A message from the House of Representatives, by Mr. Lambert, their Clerk being detained by sickness:

*Mr. President*: The House of Representatives concur in the amendment of the Senate to the bill, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within the United States, as may be found in want of support." And he withdrew.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, FEBRUARY 11, 1794.

Mr. Strong, from the committee appointed the 24th of December last, to consider that part of the speech of the President of the United States which recommends further provision against offences, reported a bill; which was read the first time.

*Ordered*, That this bill pass to the second reading.

A motion was made, that the petition of Conrad Laub and others, citizens of Pennsylvania, stating that Albert Gallatin had not been more than eight years a citizen of the United States at the time of his election as a Senator, is sufficient, as well in respect to the competency of the petitioners, as in respect to the matter alleged in the petition, to authorize the Senate to inquire and decide whether the said Albert Gallatin had been a citizen of the United States the term of years required by the constitution as a qualification to be a Senator of the United States.

*Ordered*, That this motion lie until to-morrow.

On motion,

*Ordered*, That the letter of the Secretary for the Department of the Treasury, communicated yesterday, be referred to Messrs. Gallatin, Ellsworth, and Taylor, to consider and report thereon to the Senate.

Mr. Vining, from the joint Committee on Enrolled Bills, reported, that they had examined the bill, entitled "An act providing for the relief of such of the inhabitants

of Saint Domingo, resident within the United States, as may be found in want of support," and that it was duly enrolled.

A message from the House of Representatives by Mr. Lambert, their Clerk being detained by sickness:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the Vice President.

The Vice President signed the last mentioned enrolled bill, and it was delivered to the committee to be laid before the President of the United States for his approbation.

On motion,

That the Secretary for the Department of Treasury be desired to report to the Senate on the petition of Arthur Hughes, referred to him during the last session:

It was agreed that the motion lie on the table until to-morrow.

Agreeable to the order of the day, the Senate took into consideration the motion made yesterday, that the doors of the Senate be opened during the discussion of the contested election of Mr. Gallatin. Whereupon,

*Resolved,* That the doors of the Senate be opened, and continue open, during the discussion upon the contested election of Albert Gallatin.

Mr. Bradley reported from the committee, to whom was referred the act and three ordinances, mentioned in the message from the President of the United States of the 7th instant, enacted and ordained by the governor and judges of the territory south of the river Ohio, "that Congress do not disapprove the same;" and the report was agreed to.

The Senate adjourned to 11 o'clock to-morrow morning.

#### WEDNESDAY, FEBRUARY 12, 1794.

On motion,

*Ordered,* That the Secretary for the Department of Treasury report on the petition of Arthur Hughes, referred to him by the Senate, the 9th of November, 1792.

The petition of Francis Mentges, late a lieutenant colonel in the Pennsylvania line, was presented and read, praying compensation for services rendered the United States.

On motion,

That the petition be referred to the Secretary for the Department of War,

It passed in the negative.

On motion,

That the consideration of the report of the committee on the petition of Conrad Laub and others, respecting the appointment of Mr. Gallatin to be a Senator of the United States, be postponed until Monday next,

It passed in the affirmative.

Mr. Vining, from the joint Committee on Enrolled Bills, reported, that they did yesterday lay before the President of the United States for his approbation the enrolled bill, entitled "An act providing for the relief of such of the inhabitants of Saint Domingo resident within the United States, as may be found in want of support."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for the relief of Thomas Jenkins and sons," in which they desire the concurrence of the Senate.

The President of the United States hath notified the House of Representatives, that he did this day approve and sign "An act providing for the relief of such of the inhabitants of Saint Domingo, resident within the United States, as may be found in want of support." And he withdrew.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Thomas Jenkins and sons," was read the first time.

*Ordered,* That this bill pass to the second reading.

The bill in addition to "the act for the punishment of certain crimes against the United States," was read the second time; and, after debate,

*Ordered,* That the further consideration thereof be postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 13, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Thomas Jenkins and sons," was read the second time.

*Ordered,* That this bill pass to the third reading.

The Senate resumed the second reading of the bill, in addition to "the act for the punishment of certain crimes against the United States;" and, after debate, the further consideration thereof was postponed.

Mr. Burr, from the committee to whom was referred the message from the President of the United States, of the 30th of December last, reported a bill, authorizing and directing the settlement of the accounts of major general La Fayette, which was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, FEBRUARY 14, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Thomas Jenkins and sons," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate concur in this bill.

The bill authorizing and directing the settlement of the accounts of major general La Fayette was read the second time; and, after debate,

On motion,

*Ordered*, That it lie for consideration and inquiry.

The Senate resumed the second reading of the bill in addition to "The act for the punishment of certain crimes against the United States;" and, after debate,

On motion,

*Ordered*, That it be recommitted.

Mr. Cabot, from the committee appointed the third instant, reported a bill in alteration of the act establishing a mint and regulating the coins of the United States, which was read the first time.

*Ordered*, That this bill pass to the second reading.

After consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, FEBRUARY 17, 1794.

The petition of Michael Schmyser, agent for Conrad Laub and others, petitioners against the election of Albert Gallatin to be a Senator of the United States, was presented and read, praying to be heard by counsel.

*Ordered*, That the prayer of the petition be granted.

The consideration of the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States, was resumed, and, after progress,

*Ordered*, That the consideration thereof be postponed until Wednesday next.

Mr. Vining reported, from the joint Committee on Enrolled Bills, that they had examined the enrolled bill, entitled "An act for the relief of Thomas Jenkins and sons," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act for the relief of Thomas Jenkins and sons," and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

The bill in alteration of "The act establishing a mint and regulating the coins of the United States," was read the second time.

*Ordered*, That this bill pass to the third reading.

After the consideration of the Executive business.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, FEBRUARY 18, 1794.

Mr. Strong, from the committee to whom was recommitted the bill, in addition to the act for the punishment of certain crimes against the United States, reported amendments.

*Ordered*, That the bill be printed as the committee have reported it amended.



The bill in alteration of the act establishing a mint and regulating the coins of the United States was read the third time.

*Resolved*, That this bill pass; that the title thereof be "An act in alteration of the act establishing a mint, and regulating the coins of the United States;" that it be engrossed, and that the Secretary desire the concurrence of the House of Representatives therein.

Mr. Vining, from the joint Committee for Enrolled Bills, reported, that they had this day laid the enrolled bill, entitled "An act for the relief of Thomas Jenkins and sons," before the President of the United States.

The Vice President laid before the Senate a letter from the Secretary for the department of Treasury, together with fourteen statements of tonnage, for a year ending the 30th of September, 1792, according to the *entries* of vessels in the United States during that period; which were read.

*Ordered*, That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 19, 1794.

The honorable Mr. Gunn, from the state of Georgia, took his seat in the Senate.

Agreeable to the order of the day, the Senate resumed the consideration of the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States.

On motion,

*Ordered*, That the consideration thereof be further postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

I lay before you the copy of a letter which I have received from the chief justice and associate justices of the supreme court of the United States; and, at their desire, the representation, mentioned in the said letter, pointing out certain defects in the judiciary system.

G. WASHINGTON.

*United States, February 19, 1794.*

The message and representation therein referred to were read.

*Ordered*, That they be referred to Messrs. Ellsworth, Strong, Taylor, Livermore, and Potts, to consider and report thereon to the Senate.

Conformable to the order of the day, the Senate resumed the consideration of the motion, made the 16th of January last, that the doors of the Senate Chamber remain open while the Senate shall be sitting in a legislative and judiciary capacity.

On motion, by Mr. Martin, that the question be now taken on the propositions, generally.

A motion was made for the previous question, to wit: Shall the question be now put on the following preliminary resolutions?

*Resolved*, That, in all representative governments, the representatives are responsible for their conduct to their constituents, who are entitled to such information that a discrimination and just estimate be made thereof.

*Resolved*, That the Senate of the United States, being the representatives of the sovereignties of the individual states, whose basis is the people, owe equal responsibility to the powers by which they are appointed, as if that body were derived immediately from the people, and that all questions and debates, arising thereupon in their legislative and judiciary capacity, ought to be public.

*Resolved*, That the mode adopted by the Senate of publishing their journals, and extracts from them, in newspapers, is not adequate to the purpose of circulating satisfactory information. While the principles and designs of the individual members are withheld from public view, responsibility is destroyed, which, on the publicity of their deliberations, would be restored; the constitutional powers of the Senate become more important, in being more influential over the other branch of the legislature; abuse of power, mal-administration of office, more easily detected and corrected; jealousies, rising in the public mind from secret legislation, prevented; and greater confidence placed by our fellow citizens in the national government, by which their lives, liberties, and properties, are to be secured and protected:

It passed in the negative.

On motion,

To postpone the main question to the next session of Congress, to wit:

*Resolved*, That it be a standing rule that the doors of the Senate Chamber remain open while the Senate shall be sitting in a legislative and judiciary capacity, except on such occasions as in their judgment may require secrecy; and that this rule commence on—— day of ——:

It passed in the affirmative, { Yeas . . . . . 14  
Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Bradley, Cabot, Ellsworth, Foster, Frelinghuysen, Izard, Langdon, Livermore, Mitchell, Morris, Rutherford, Strong, and Vining.

Those who voted in the negative, are,

Messrs. Brown, Burr, Butler, Edwards, Gallatin, Gunn, Hawkins, Jackson, King, Martin, Monroe, Potts, and Taylor.

The Senate resumed the second reading of the bill, authorizing and directing the settlement of the accounts of Major General La Fayette; and, having amended the same,

*Ordered*, That this bill pass to the third reading.

On motion,

Mr. Rutherford obtained leave of absence for a few days.

On motion,

To reconsider the following motion, to wit:

*Resolved*, That it be a standing rule that the doors of the Senate Chamber remain open while the Senate shall be sitting in a legislative and judiciary capacity, except on such occasions as, in their judgment, may require secrecy; and that this rule commence on —— day of ——:

It passed in the affirmative, { Yeas . . . . . 17  
Nays . . . . . 10.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Foster, Gallatin, Gunn, Hawkins, Jackson, King, Langdon, Livermore, Martin, Monroe, Potts, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Frelinghuysen, Izard, Mitchell, Morris, Rutherford, Strong, and Vining.

A motion was made to amend the motion last reconsidered, as follows:

*Resolved*, That, after the end of the present session of Congress, and, so soon as suitable galleries shall be provided for the Senate chamber, the said galleries shall be permitted to be opened every morning, so long as the Senate shall be engaged in their legislative capacity, unless in such cases as may in the opinion of the Senate require secrecy, after which the said galleries shall be closed; and, after debate,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, FEBRUARY 20, 1794.

The Senate resumed the consideration of the motion made yesterday, to amend the motion then reconsidered, respecting the opening the doors of the Senate chamber whilst sitting in a legislative capacity.

On motion to commit the motion for amendment,

It passed in the negative.

On motion, that the amendment be agreed to,

It passed in the affirmative, { Yeas . . . . . 18  
Nays . . . . . 9.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Ellsworth, Foster, Gunn, Hawkins, Jackson, King, Langdon, Livermore, Martin, Monroe, Potts, Taylor, and Vining.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Frelinghuysen, Gallatin, Izard, Mitchell, Morris Rutherford, and Strong.

On motion to adopt the resolution, amended as follows:

*'Resolved, That, after the end of the present session of Congress, and so soon as suitable galleries shall be provided for the Senate chamber, the said galleries shall be permitted to be opened every morning, so long as the Senate shall be engaged in their legislative capacity, unless in such cases as may, in the opinion of the Senate, require secrecy, after which the said galleries shall be closed.'*

It passed in the affirmative, { Yeas . . . . . 19  
{ Nays . . . . . 8.

The yeas and nays being required by one-fifth of the Senators present,  
Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Ellsworth, Foster, Gallatin, Gunn, Hawkins, Jackson, King, Langdon, Livermore, Martin, Monroe, Potts, Taylor, and Vining.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Frelinghuysen, Izard, Mitchell, Morris, Rutherford, and Strong.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States hath notified the House of Representatives that he yesterday approved and signed the act, entitled "An act for the relief of Thomas Jenkins and sons." The House of Representatives have passed a bill, entitled "An act for the remission of the duties arising on the tonnage of sundry French vessels which have taken refuge in the ports of the United States;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

**Ordered,** That this bill pass to the second reading.

On motion,

*Resolved, That, on a motion made and seconded to shut the doors of the Senate, on the discussion of any business which may, in the opinion of a member, require secrecy, the President shall direct the gallery to be cleared; and that, during the discussion of such motion, the doors shall remain shut.*

Agreeable to the order of the day, the Senate resumed the consideration of the report of the committee on the petition of Conrad Laub, and others, respecting the election of Mr. Gallatin to be a Senator of the United States.

Mr. Gallatin exhibited to the Senate a written statement of facts agreed to between himself and the petitioners, which was read; and, after debate,

On motion,

*Ordered*, That the further consideration of the report of the committee be postponed until to-morrow, and that, in the mean time, the statement of facts exhibited on the part of Mr. Gallatin be printed for the use of the Senate.

On motion,

*Ordered*, That the second reading of the bill in addition to the act for the punishment of certain crimes against the United States, as reported to be amended by the committee, be the order of the day for Tuesday next.

The Senate adjourned to 11 o'clock to-morrow morning.

**FRIDAY, FEBRUARY 21, 1794.**

The bill sent from the House of Representatives for concurrence, entitled "An act for the remission of the duties arising on the tonnage of sundry French vessels which have taken refuge in the ports of the United States," was read the second time.

On motion,

On motion,

*Ordered*, That it be referred to Messrs. Cabot, Burr, and Langdon, to consider and report thereon to the Senate.

The Vice President laid before the Senate a communication from the Secretary for the Department of War, stating certain defects in the act passed the last session of Congress, entitled "An act to regulate the claims to invalid pensions;" which was read.

**Ordered, That it lie for consideration.**

Agreeable to the order of the day, the Senate resumed the consideration of the report of the committee on the petition of Conrad Laub, and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,  
On motion,

On motion,

Ordered, That the further consideration thereof be postponed until to-morrow.  
The Senate adjourned to 11 o'clock to-morrow morning.



## SATURDAY, FEBRUARY 22, 1794.

The Senate resumed the consideration of the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,

On motion,

*Ordered*, That the further consideration thereof be postponed until Monday next.

The Vice President laid before the Senate a report from the Secretary for the Department of Treasury, on the expediency of erecting a light house on Cape Hatteras, in the state of North Carolina, together with sundry papers therein referred to; which were read.

On motion,

*Ordered*, That this report, and the papers therein referred to, be committed to Messrs. Martin, Langdon, and King, to consider and report thereon to the Senate.

A motion was made as follows:

*Resolved*, That Albert Gallatin, returned to this House as a member for the State of Pennsylvania, is duly qualified for, and elected to, a seat in the Senate of the United States.

*Ordered*, That the consideration of this motion be postponed until Monday next, and that a number of copies of the 4th article of the first confederation of the United States be printed for the use of the Senate.

The Senate adjourned to Monday next at 11 o'clock.

## MONDAY, FEBRUARY 24, 1794.

The Senate resumed the consideration of the motion made the 22d instant, on the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," in which they desire the concurrence of the Senate. And he withdrew.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

The extracts which I now lay before you, from a letter of our minister at London, are supplementary to some of my past communications, and will appear to be of a confidential nature.

I also transmit to you copies of a letter from the Secretary of State to the minister plenipotentiary of his Britannic Majesty, and of the answer thereto, upon the subject of the treaty between the United States and Great Britain; together with the copy of a letter from Messrs. Carmichael and Short, relative to our affairs with Spain, which letter is connected with a former confidential message.

G. WASHINGTON.

*United States, February 24, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, FEBRUARY 25, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate resumed the consideration of the motion made the 22d instant, on the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow

It was agreed that the second reading of the bill, in addition to the act for the punishment of certain crimes against the United States, assigned as the order of this day, be further postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, FEBRUARY 26, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act in alteration of the act establishing a mint, and regulating the coins of the United States." And he withdrew.

The Senate resumed the consideration of the motion, made the 22d instant, on the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,

On motion,

*Ordered,* That the further consideration thereof be postponed until to-morrow.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate:*

I have caused the correspondence, which is the subject of your resolution of the 24th day of January last, to be laid before me. After an examination of it, I directed copies and translations to be made; except in those particulars which, in my judgment, for public considerations, ought not to be communicated.

These copies and translations are now transmitted to the Senate; but the nature of them manifests the propriety of their being received as confidential.

G. WASHINGTON.

*United States, February 26, 1794.*

The message was read.

*Ordered,* That the message and papers therein referred to lie for consideration.

The Vice President communicated a letter from the Secretary for the Department of Treasury, explaining the causes of delay in reporting on the petition of Arthur Hughes, referred to his consideration; which was read.

*Ordered,* That it lie on the table.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," was read the second time.

On motion,

*Ordered,* That the further consideration of this bill be postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, FEBRUARY 27, 1794.

On motion,

*Ordered,* That the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," be referred to Messrs. Cabot, Frelinghuysen, and Langdon, to consider and report thereon to the Senate.

The Senate resumed the consideration of the motion, made the 22d instant, on the report of the committee on the petition of Conrad Laub and others, respecting the election of Mr. Gallatin to be a Senator of the United States; and, after progress,

On motion,

*Ordered,* That the further consideration thereof be postponed until to-morrow.

The Senate adjourned until 11 o'clock to-morrow morning.

### FRIDAY, FEBRUARY 28, 1794.

Mr. Vining, from the joint Committee on Enrolled Bills, reported, that they had examined the bill, entitled "An act in alteration of the act establishing a mint and regulating the coins of the United States," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

“That they have had the same under consideration, and, having given due notice, as well the petitioners, by their agent Michael Schmyser, as the said Mr. Gallatin, appeared before them, and, on the part of the petitioners, the following evidence was produced, to wit:

"Robert Morris, Esq. being duly sworn, deposeth: That, during the war, two of his sons went to Geneva for their education, and at that place they became acquainted with some of the friends of Mr. Albert Gallatin, who had gone for America, and they, being solicitous to hear of his safety, desired Mr. Morris's sons to write to their father, to make inquiry and give the information he should obtain. That, frequently afterwards, he received letters for Mr. Gallatin from Europe, which he always supposed to come from the friends of Mr. Gallatin in Geneva. He supplied Mr. Gallatin with money for a bill upon London, and there supposed the funds to pay the same were remitted from Geneva. Mr. Morris paid Mr. Gallatin about one thousand guineas, by order of Messrs. ————— & Co. bankers in Paris, believing always that they were reimbursed from Geneva. Mr. Morris does not recollect dates, not having for a long while seen any of the letters that passed on the subject; he does not know the place of Mr. Gallatin's nativity, but, from the general course of the circumstances which came under his observation, he always did suppose he was born in Geneva.

"Sworn to, and subscribed, January 22, 1794.

"Nathaniel Cabot Higginson, Esq. being duly sworn, deposeth: That he does not know directly any thing of Mr. Gallatin's being a foreigner or native; that he recollects knowing him by reputation and sight at Boston, in one of the years 1781, 82, or 83, and that he was generally reputed to be a foreigner. This deponent believes that Mr. Gallatin then taught the French language, and did not speak the English with facility; and further recollects that Mr. Gallatin was resident there or thereabouts a considerable time. This deponent further says, that he never had any conversation with Mr. Gallatin, but founds his belief, with respect to Mr. Gallatin's not speaking the English with facility, on the information received from others.

"Sworn to, and subscribed, January 22, 1794."

"Mr. John Breakbill, being duly sworn, testifies: That, last winter, being a member of the legislature of Pennsylvania, previous to the election of Senator for the state of Pennsylvania, I heard Mr. Gallatin say his citizenship would not admit his being a Senator; what were his reasons for making the declaration I cannot say; I took it he did not wish to be elected. This declaration by Mr. Gallatin was made at a meeting of a number of members of Pennsylvania legislature, held for the purpose of agreeing who should be set up as a candidate. The deponent further says, he does not recollect Mr. Gallatin's assigning any other reason for his backwardness to serve as a Senator than the want of citizenship.

"Sworn to, and subscribed, January 22, 1794."

"Henry Kammerer, Esq. being duly sworn, testifies: That, last winter, being a member of the legislature of Pennsylvania, and previous to the election of Senator for the said state, at a meeting of a number of the members of the state legislature, to agree upon a candidate to fill said office, I heard Mr. Gallatin say, when his name was proposed, "As for my name, it is out of the question: I have not been a citizen long enough to entitle me to serve in that station." That, at a second meeting for the same purpose, Mr. Gallatin was again proposed as a proper person for a candidate, and then the deponent understood (not from Mr. Gallatin, but from some of the members of assembly then present,) that the doubt about his citizenship was then put to rights; and then it was almost unanimously agreed to put up Mr. Gallatin's name. That, on the morning succeeding Mr. Gallatin's election, the deponent heard it observed, that, notwithstanding Mr. Gallatin's election, he could not take his seat, in consequence of his declaration that he had not been long enough a citizen. That he, the same day, mentioned this to Mr. Gallatin, who said that he had made this declaration under a mistaken idea that it was necessary for him to have been nine years a citizen of Pennsylvania, but that, upon examining the constitution, he had found that to have been nine years a citizen of the United States was sufficient, and that he had been above nine years a citizen of the United States, or words to that effect.

"Sworn to, and subscribed, January 22, 1794."

"Pelatiah Webster, being duly qualified, testifies: That, eleven years ago last summer, I let my house in Philadelphia to Mary Lynn, who proposed to take lodgers; I reserved apartments for myself, and boarded with her. Soon after, Mr. Savery and Mr. Gallatin took lodgings of her, and continued a number of months there. Mr. Savery spoke no English; Mr. Gallatin spoke good English, and served as interpreter for him. They appeared to be well bred gentlemen, and their conduct was agreeable and conciliating, and they soon gained the esteem and respect of the family. I do not know that they ever declared their country, but we all supposed they were French, and of course the people, customs, and country, of France, often made the topic of fireside chat. In one of these transient conversations, Mr. Gallatin took occasion to say that his knowledge of French affairs was not very perfect, for he was not



a native of France, nor had ever resided long in that country, but was from Geneva. No one interesting circumstance made any further inquiry necessary, nor do I recollect that he made any more explication of the subject.

"N. B. Mr. Gallatin once said that his original name was not Gallatin, but I think he said was Sidney, but this conversation was in drollery and not in earnest, as I conceived at the time of speaking, from the manner and air of his speaking thereon.

"Sworn to and subscribed January 28, 1794."

"Mr. John Smilie, member of the House of Representatives of the United States, being sworn, saith, that at a meeting of sundry members of the legislature of Pennsylvania, previous to Mr. Gallatin's election as a Senator of the United States, that gentleman was mentioned as a proper person to fill the said office; at which time Mr. Gallatin started some doubt respecting his being qualified, but in what words the deponent does not recollect.

That the deponent did not understand upon what the doubt was founded, though he thinks, from something said by Mr. Gallatin, that it related to Mr. Gallatin's citizenship, for, as the deponent conceived the conversation proceeded from that kind of modesty which gentlemen usually feel upon having their names proposed upon such occasions, he did not pay much attention to it; and that his reason for forming this opinion was, his having frequently observed gentlemen to make excuses in similar situations, and from his knowledge of Mr. Gallatin's modesty of disposition. When being asked, whether he ever heard Mr. Gallatin say that he had not been a citizen of the United States nine years previous to his election, the deponent replies, he never did. Upon being asked by Mr. Lewis, counsel for the petitioners, what he had ever heard Mr. Gallatin say touching his citizenship, the deponent replies, that a considerable time subsequent to Mr. Gallatin's election, Mr. Gallatin, in conversations with the deponent, expressed an opinion, that he was qualified with respect to citizenship. What else did you ever hear Mr. Gallatin say with respect to his citizenship? The deponent answers, that he recollects having heard him say something with respect to the laws of Massachusetts not requiring an oath of allegiance, at the time of his giving his opinion as aforesaid. Did you ever hear Mr. Gallatin say he was born in Europe? The deponent replies, that he does not recollect Mr. Gallatin's saying that he was born in Europe, but that he has heard Mr. Gallatin speak of himself as a Genevan, mention his family in Geneva, and in conversations with him hath always understood him to be of Geneva. Did you ever hear Mr. Gallatin mention the time of his coming into America? He replies, that he thinks Mr. Gallatin, about a year past, mentioned that he had been then thirteen years in this country, and that he was nineteen years old when he came. Did you ever hear Mr. Gallatin say when or where he took the oath of allegiance? He replies, he heard Mr. Gallatin say that he took the oath of allegiance in Virginia, but, as to the time, the deponent cannot be precise, but he thinks, if he can recollect, that Mr. Gallatin did mention to him, though he cannot be certain; but it was not nine years before he was elected. That the deponent thinks Mr. Gallatin's doubts respecting his citizenship were founded on this ground, the witness referring in this part of his testimony to the meeting before mentioned, when these doubts were expressed; but he cannot specify the time of Mr. Gallatin's having mentioned to him the circumstance of his having taken the oath of allegiance.

"Sworn to and subscribed January 28, 1794."

"Mr. Thomas Stokeley, being sworn, deposeth and saith, that, some few days before a Senator was chosen for the state of Pennsylvania, a meeting was had to fix on a proper person to represent the state in that office; sundry persons were started as candidates, among whom was Mr. Gallatin, who, upon his being named, observed that there were many other persons more proper to fill that office, and also observed, that there might be doubts as to his citizenship, though the deponent, from the length of time, and not expecting to have been called upon, retains too slight an impression of what then passed, to be able to recollect the words with precision. That, at a subsequent meeting for the same purpose, Mr. Gallatin was finally agreed to be nominated, and the deponent heard no objection stated thereto, either by Mr. Gallatin (who was present) or any other person.

"Sworn to and subscribed February 1, 1794."

"The before recited evidence being introduced and closed on the part of the petitioners, Mr. Gallatin was asked whether he had any testimony to produce on his part, to which he gave the following answer, in writing, to wit:

"The committee to whom the petition of Conrad Laub, &c. was referred, having informed me that the petitioners had closed their evidence, and asked me "whether I had any testimony to produce on my side," I answer, that it appears to me that there



is not sufficient matter charged in the petition, and proved by the testimony, to vacate my seat; that, by the resolution appointing the committee, the petition is referred to them to state the facts, "without prejudice as to any questions which may, upon the hearing, be raised by the sitting member, as to the sufficiency of the parties and the matter charged in the petition;" that, upon the hearing, and in the present stage of the same, the question as to the sufficiency of matter, as above stated, is raised by me; that I conceive, from the evident construction of the resolution, I have a right to have that question decided by the Senate: that, until the same shall have been decided, I do not wish to be at the trouble and expense of collecting evidence at a great distance; and therefore, that at present I do not mean to produce any testimony, reserving, however, to myself the right which I conceive I have to produce any testimony in my favor, after the said question shall have been decided by the Senate, in case it is decided against me.

"ALBERT GALLATIN."

"Which being duly read and considered, the committee came to the following resolution, to wit:

"Whereas the evidence on the part of the petitioners having been closed, and it appearing that Mr. Gallatin was an alien in the year 1780; and his answer in writing assigning reasons why he should not adduce evidence on his part in the present stage of the inquiry, not being in the opinion of the committee sufficient,

"*Resolved*, That, in the opinion of the committee, it is now incumbent on Mr. Gallatin to shew that he has become a citizen of the United States and when.

"Which resolution being read to Mr. Gallatin, he informed the committee he should rely on the answer he had before given.

"All which is respectfully submitted to the honorable Senate, by the committee."

And subjoined is the statement of facts exhibited by Mr. Gallatin, and agreed to between him and the counsel for the petitioners, as mentioned the 20th instant.

"Albert Gallatin was born at Geneva, on the 29th day of January, 1761. He left that place for the United States in April or May, 1780, arrived in Boston (Massachusetts) on the 14th-15th July of the same year, and has ever since resided within the United States. In October, 1780, he removed from Boston to Machias in the province of Maine, in which place and its neighborhood he resided one year and commenced a settlement on a tract of vacant land. During that time, he furnished, out of his own funds, supplies (amounting in value to more than sixty pounds Massachusetts currency) to Col. John Allen, who was the commanding officer stationed there, and also superintendent of Indian affairs for the eastern department, for the use of the American troops, and on several occasions acted as a volunteer under the same officer's command. For the said supplies, he received one year after, a warrant on the Treasury of the state of Massachusetts, which he sold at a considerable depreciation. In October, 1781, he returned to Boston; and in the spring of 1782, was, by a vote of the corporation of the university of Cambridge, (otherwise called Harvard College) chosen instructor of the French language of the said university. By the same vote he was allowed a room in the college, the privilege of the commons at the tutors' table, the use of the library, and also the right of having his pay (which depended on the voluntary subscription and attendance of the students) collected by the steward of the institution, together with the other charges against the students for board and education. Those terms he accepted, and remained in that station for the term of one year. In July, 1783, he removed to Pennsylvania, and in November of the same year proceeded to Virginia, in which state he had purchased more than 1000 acres of land (and amounting to more than one hundred pounds Virginia currency in value) some time between July and November, 1783. Between this last mentioned period and the month of October, 1785, he purchased other lands in the said state to a very large amount, and in the said last mentioned month he took an oath of allegiance to the said state. In December 1785, he purchased the plantation in Fayette county in Pennsylvania, on which he has lived ever since. In October, 1789, he was elected member of the Convention to amend the constitution of Pennsylvania, and in October, 1790, 1791, and 1792, he was elected member of the legislature of the same state. On the 28th February, 1793, he was chosen Senator to represent the said state in the Senate of the United States, and took his seat in December following."

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, MARCH 3, 1794.

The communications referred to in the message of the President of the United States of the 26th of February, were in part read.

On motion,

*Ordered*, That the further reading of them at this time be postponed.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I transmit to you an extract from a letter of Mr. Short, relative to our affairs with Spain; and copies of two letters from our minister at Lisbon, with their enclosures, containing intelligence from Algiers. The whole of these communications are made in confidence, except the passage in Mr. Short's letter which respects the Spanish convoy.

G. WASHINGTON.

*United States, March 3, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States hath this day approved and signed the act, entitled "An act in alteration of the act establishing a mint and regulating the coins of the United States."

*Ordered*, That the Secretary communicate this notification to the House of Representatives.

The Vice President laid before the Senate a letter from the Secretary for the Department of Treasury, transmitting reports on the petitions of Barent I. Staats, and of Elisha Bennet, which were severally read.

*Ordered*, That they lie for consideration.

The petition of Peter Trezevant, of the State of South Carolina, was read, praying compensation for certain goods bought of Robert Farquhar, and stated to be for the use of the United States, though purchased by order and appropriated to the more immediate use of the state of Georgia.

*Ordered*, That this petition lie on the table.

Mr. Cabot reported from the committee to whom was referred the bill sent from the House of Representatives for concurrence, entitled "An act for the remission of the duties arising on the tonnage of sundry French vessels which have taken refuge in the ports of the United States," that this bill pass the Senate; and the bill was read the second time.

On motion,

*Ordered*, That the rule be dispensed with, and that this bill now have the third reading.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, MARCH 4, 1794.

The Senate resumed the reading of the communications referred to in the message of the President of the United States, of the 26th of February; and, after progress, the further reading thereof was postponed.

Mr. Martin, from the committee appointed the 22d of February, to consider the report of the Secretary for the Department of Treasury respecting a light-house on Cape Hatteras, reported a bill to erect a light house on the head land and Cape of Hatteras; and a lighted beacon on Occacock Island, in the State of North Carolina, which was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

## WEDNESDAY, MARCH 5, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed "the resolution sent from the Senate for concurrence, proposing to the several states an amendment to the Constitution of the United States, respecting the judicial power."

They have passed a bill, entitled "An act authorising a loan of one million of dollars," in which they desire the concurrence of the Senate.

And he withdrew.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

The Secretary of State having reported to me upon the several complaints which have been lodged in his office, against the vexations and spoliations on our commerce since the commencement of the European war, I transmit to you a copy of his statement, together with the documents upon which it is founded.

G. WASHINGTON.

*United States, March 5, 1794.*

The message and papers therein referred to were read.

*Ordered,* That they lie for consideration.

The Senate resumed the reading of the communications referred to in the message of the President of the United States, of the 26th of February last.

*Ordered,* That they lie for consideration.

The bill sent from the House of Representatives for concurrence, entitled "An act authorising a loan of one million of dollars," was read the first time.

*Ordered,* That this bill pass to the second reading.

The bill to erect a light-house on the head land and Cape of Hatteras, and a lighted beacon on Occacock Island, in the State of North Carolina, was read the second time.

*Ordered,* That Monday next be assigned for the further consideration of this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, MARCH 6, 1794.

Mr. Cabot, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-four," reported amendments, which were read and adopted.

*Ordered,* That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act authorizing a loan of one million of dollars," was read the second time.

On motion,

*Ordered,* That this bill be referred to Messrs Butler, Cabot, and Hawkins, to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MARCH 7, 1794.

On motion,

*Ordered,* That Mr. Foster be the joint Committee for Enrolled Bills on the part of the Senate, during the absence of Mr. Vining.

*Ordered,* That the Secretary notify the House of Representatives thereof.

The bill sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety four," was read the third time.

*Resolved,* That this bill pass as amended.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

On motion,

*Resolved,* That Messrs. King, Langdon, and Strong, be a committee to join with such committee as the House of Representatives may appoint on their part, to consider and report what business is necessary to be done by Congress in the present session, and what part of the business now depending may be, without great inconvenience, postponed until the next session; that the proceedings may be so regulated as to close this session by the first Monday in April next.

*Ordered,* That the Secretary communicate this resolution to the House of Representatives and request the appointment of a joint committee on their part.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country;" also, a bill, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," in which bills severally they desire the concurrence of the Senate. And he withdrew.

The Senate resumed the second reading of the bill in addition to the act for the punishment of certain crimes against the United States, together with the amendments reported by the committee; and, after progress, the further consideration thereof was postponed.

Mr. Foster reported, from the Committee for Enrolled Bills, that they had examined the bill, entitled "An act for the remission of the duties arising on the tonnage of sundry French vessels which have taken refuge in the ports of the United States," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Foster reported, from the Committee on Enrolled Bills, that they this day laid the last mentioned enrolled bill before the President of the United States.

The bill sent from the House of Representatives for concurrence, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country," was read the first time.

*Ordered,* That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," was read the first time.

*Ordered,* That this bill pass to the second reading.

The Senate adjourned until 11 o'clock on Monday morning.

### MONDAY, MARCH 10, 1794.

The Vice President laid before the Senate a letter from his excellency Josiah Bartlett, governor of the state of New Hampshire, enclosing the remonstrance of the legislature of that state, against the determination of the circuit court for the district of New Hampshire, held at Exeter on the 24th day of October, 1793; which letter and papers referred to were read.

On motion,

*Ordered,* That they be committed to Messrs. Livermore, King, and Langdon, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country," was read the second time.

*Ordered,* That the further consideration thereof be the order of the day for Wednesday next.

Agreeable to the order of the day, the bill to erect a light-house on the head land and Cape of Hatteras, and a lighted beacon on Occacock Island, in the state of North Carolina, was read the second time and amended.

*Ordered,* That this bill pass to the third reading.

On motion,

That the petition of Francis Mentges, presented the 12th of February last, be referred to a committee,

It passed in the negative.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives concur in the amendments of the Senate to the bill, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four."

They also concur in the resolution of the Senate, of the 7th instant, appointing a joint committee, and have appointed a committee on their part.

The President of the United States hath notified the House of Representatives, that he did on the 7th instant approve and sign the act, entitled "An act for the remission of the duties arising on the tonnage of sundry French vessels which have taken refuge in the ports of the United States." And he withdrew.



The Senate resumed the second reading of the bill "in addition to the act for the punishment of certain crimes against the United States."

On motion,

That the Secretary of the Senate be directed to procure, from the Secretary for the Department of State, the secret instructions given to the Commissioners for concluding a treaty between the United States and the King of Sweden:

It passed in the negative.

After progress in the consideration of the bill last mentioned, the further consideration thereof at this time was postponed.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the enrolled "resolution proposing to the several states an amendment to the constitution of the United States respecting the judicial power," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to provide a naval armament," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered,* That this bill pass to the second reading.

*Ordered,* That the Secretary purchase Blackstone's Commentaries, and Vattel's Law of Nature and Nations, for the use of the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, MARCH 11, 1794.

The bill to erect a light-house on the head land of Cape Hatteras, and a lighted beacon on Occacock Island, in the state of North Carolina, was read the third time.

*Resolved,* That this bill pass; that it be engrossed; and that the title thereof be, "An act to erect a light-house on the head land of Cape Hatteras, and a lighted beacon on Occacock Island, in the state of North Carolina."

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion,

*Ordered,* That the Attorney General for the United States be directed to report upon the petition of the inhabitants of Galliopolis, lodged in his office by reference at the last session of Congress.

The Senate resumed the second reading of the bill in addition to the act for the punishment of certain crimes against the United States; and, after progress,

*Ordered,* That the further consideration thereof be postponed.

Mr. Vining reported, from the Committee for Enrolled Bills, that they had examined the bill, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, and an enrolled resolution, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act making appropriations for the support of government for the year one thousand seven hundred and ninety-four," also, the enrolled "resolution proposing to the several states an amendment to the constitution of the United States, respecting the judicial power," and the bill was delivered to the committee, to be laid before the President of the United States for his approbation.

The Senate adjourned to 11 o'clock to-morrow morning.

#### WEDNESDAY, MARCH 12, 1794.

On motion,

*Ordered,* That Mr. Burr have leave of absence.

On motion,

*Resolved,* That the President of the United States be requested to transmit, to the Executives of the several states, copies of the amendment proposed by Congress to be added to the constitution of the United States, respecting the judicial power.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this resolution.



Messrs. Bradford, Cabot, Ellsworth, Foster, Izard, King, Langdon, Livermore, Mitchell, Morris, Potts, Strong, and Vining.

On motion,

To adopt the following as an additional section to the bill, to wit:

'And be it further enacted, That this act shall continue and be in force for and during the term of two years, and from thence to the end of the next session of Congress, and no longer.'

It passed in the affirmative, { Yeas . . . . . 17  
Nays . . . . . 7.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Brown, Cabot, Ellsworth, Foster, Gunn, Hawkins, Jackson, Izard, King, Livermore, Martin, Mitchell, Morris, Potts, Strong, and Vining.

Those who voted in the negative, are,

Messrs. Bradley, Butler, Edwards, Langdon, Monroe, Robinson, and Taylor.

On motion, that this bill pass to the third reading,

It passed in the affirmative, { Yeas . . . . . 12  
Nays . . . . . 12.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Izard, King, Livermore, Mitchell, Morris, Potts, Strong, and Vining.

Those who voted in the negative, are,

Messrs. Bradley, Brown, Butler, Edwards, Gunn, Hawkins, Jackson, Langdon, Martin, Monroe, Robinson, and Taylor.

The Vice President determined the question in the affirmative.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

I transmit to you the translation of two letters from the Commissioners of his Catholic Majesty to the Secretary of State, and of their enclosures.

G. WASHINGTON.

*United States, March 12, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The petition of Robert Connelly was presented and read, praying to be inserted in the list of invalid pensioners.

*Ordered*, That this petition be referred to the Secretary for the Department of War, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for the defence of certain ports and harbors in the United States," was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, MARCH 13, 1794.

The Vice President laid before the Senate the reports of the Secretary for the Department of War, on the several petitions of Asa Day, William Perkins, and Jonathan Holton.

*Ordered*, That they lie on the table.

The petition of Jabez Rogers, jun. was presented and read, praying remission of the excise duties on certain distilled spirits, said to be destroyed by fire.

On motion,

*Ordered*, That this petition be referred to Messrs. Bradley, Livermore, and Robinson, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for the defence of certain ports and harbors in the United States," was read the second time.

*Ordered*, That this bill be referred to Messrs. King, Gunn, Izard, Langdon, Morris, Ellsworth, and Potts, to consider and report thereon to the Senate.

Mr. Butler reported, from the committee appointed to consider the bill, sent from the House of Representatives for concurrence, entitled "An act authorizing a loan of one million of dollars," that the bill pass; and, the report being adopted,

*Ordered*, That this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide a naval armament," was read the second time.

On motion,

It was agreed that the further consideration of this bill be the order of the day for Monday next.

The bill, in addition to the act for the punishment of certain crimes against the United States was read the third time.

On motion, to expunge the 8th section, as follows:

And be it further enacted and declared, That, in every case in which a vessel shall be fitted out and armed, or attempt so to be fitted out or armed, or in which the force of any vessel of war, cruiser, or other armed vessel, shall be increased or augmented, or in which any military expedition or enterprize shall be begun or set on foot contrary to the prohibitions and provisions of this act; and in every case of the capture of a ship or vessel within the jurisdiction or protection of the United States as above defined, and in every case in which any process issuing out of any court of the United States shall be disobeyed or resisted by any person or persons having the custody of any vessel of war, cruiser, or other armed vessel, of any foreign prince or state, or of the subjects or citizens of such prince or state; in every such case it shall be lawful for the President of the United States, or such other person as he shall have empowered for that purpose, to employ such part of the land or naval forces of the United States, or of the militia thereof, as shall be judged necessary for the purpose of taking possession of and detaining any such ship or vessel, with her prize or prizes, if any, in order to the execution of the prohibitions and penalties of this act, and to the restoring such prize or prizes, in the cases in which restoration shall have been adjudged, and also for the purpose of preventing the carrying on of any such expedition or enterprize from the territories of the United States against the territories or dominions of a foreign prince or state, with whom the United States are at peace:

It passed in the negative, { Yeas . . . . . 12.  
Nays . . . . . 12.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Butler, Edwards, Gunn, Hawkins, Jackson, Langdon, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Izard, King, Livermore, Mitchell, Morris, Potts, Strong, and Vining.

The Vice President determined the question in the negative.

On the question Shall this bill pass?

It passed in the affirmative, { Yeas . . . . . 12.  
Nays . . . . . 12.

The yeas and nays being required by one fifth of the Senators present.

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Izard, King, Livermore, Mitchell, Morris, Potts, Strong, and Vining.

Those who voted in the negative, are,

Messrs. Bradley, Brown, Butler, Edwards, Gunn, Hawkins, Jackson, Langdon, Martin, Monroe, Robinson, and Taylor.

The Vice President determined the question in the affirmative; and further amendments being agreed to, it was,

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act in addition to the act for the punishment of certain crimes against the United States."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act making appropriations for the support of the military establishment of the United States, for the year one thousand seven hundred and ninety four;" and a bill, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations; and further to continue in force the act, entitled 'An act providing the means of intercourse between the United States and foreign nations:' in which several bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were severally read the first time.

*Ordered*, That these bills severally pass to the second reading.

On motion,

*Ordered*, That the documents referred to in the President's message of the fifth instant, relative to the vexations and spoliations on the commerce of the United States, be returned to the office of the Secretary of State.

On motion,

*Ordered*, That the Secretary of State, as soon as may be, furnish the Senate with an abstract of the vexations and spoliations lately committed upon our commerce, and by whom, particularly noting the condemnations, as far as the documents in his office will enable him.

The bill sent from the House of Representatives for concurrence, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," was read the second time.

*Ordered*, That this bill be referred to Messrs. Cabot, Taylor, Ellsworth, Gunn, and King, to consider and report thereon to the Senate.

The bill authorizing and directing the settlement of the accounts of major general La Fayette was read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act allowing to major general La Fayette his pay and emoluments while in the service of the United States."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MARCH 14, 1794.

The Vice President laid before the Senate the report from the Secretary for the Department of War on the petition of Robert Connelly, which was read.

*Ordered*, That it lie on the table.

Mr. King, from the committee appointed to consider the bill, sent from the House of Representatives for concurrence, entitled "An act to provide for the defence of certain ports and harbors in the United States," reported amendments, which, being adopted,

*Ordered*, That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act authorizing a loan of one million of dollars," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations; and further to continue in force the act, entitled 'An act providing the means of intercourse between the United States and foreign nations,'" was read the second time.

*Ordered*, That this bill be referred to Messrs. King, Morris, and Strong, to consider and report thereon to the Senate.

Mr. King, from the committee appointed on this bill, reported an amendment, which being adopted,

*Ordered*, That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of the military establishment of the United States, for the year one thousand seven hundred and ninety-four," was read the second time.

*Ordered*, This bill be referred to Messrs. King, Vining, and Gunn, to consider and report thereon to the Senate.

Mr. Vining reported from the Committee for Enrolled Bills, that they had examined the bill, entitled "An act authorizing a loan of one million of dollars," and that it was duly enrolled.

The Senate adjourned until 11 o'clock on Monday morning.

#### MONDAY, MARCH 17, 1794.

The Vice President laid before the Senate the report of the Secretary for the Department of War on the petitions of Theodore Chartier and others; which was read

*Ordered*, That it lie on the table.

Mr. Bradley reported from the committee appointed to consider the petition of Jabez Rogers, jr. that the prayer of the petition be granted.

The bill sent from the House of Representatives for concurrence, entitled "An act to provide for the defence of certain ports and harbors in the United States," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act to provide for the defence of certain ports and harbors in the United States."

The President of the United States hath notified the House of Representatives, that he did, on the 14th instant, approve and sign "An act making appropriations for the support of government, for the year one thousand seven hundred and ninety-four."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act authorizing a loan of one million dollars," and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide a naval armament, was read the second time.

On motion,

*Ordered*, That this bill be referred to Messrs. Langdon, Morris, Butler, Taylor, and Cabot, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations, and further to continue in force the act, entitled "An act providing the means of intercourse between the United States and foreign nations," was read the third time.

*Resolved*, That this bill pass with an amendment.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment to this bill.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country."

On motion to postpone the bill to the next session of Congress,

It passed in the negative.

*Ordered*, That the further consideration of this bill be postponed.

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, MARCH 18, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations, and further to continue in force the act, entitled "An act providing the means of intercourse between the United States and foreign nations." And he withdrew.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act to provide for the defence of certain ports and harbors in the United States;" and the enrolled bill, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations, and further to continue in force the act, entitled "An act providing the means of intercourse between the United States and foreign nations;" and that they were duly enrolled.

Mr. King, from the committee appointed to consider the bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand seven hundred and ninety-four," reported the bill without amendment.

*Ordered*, That this bill pass to the third reading.

A motion was made and seconded, that it be

*Resolved*, That a committee be appointed to examine into and report on the practicability of obtaining statements of the principles on which the accounts of the indi-



vidual states with the United States have been settled, and a statement of the several credits allowed in the said settlement.

*Ordered*, That this motion lie for consideration.

Mr. Langdon, from the committee appointed to consider the bill, sent from the House of Representatives for concurrence, entitled "An act to provide a naval armament," reported amendments; which were in part adopted.

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes;" and "A resolution that the President of the United States be authorized to employ, as dispatch boats, such of the revenue cutters of the United States as the public exigencies may require;" in which bill and resolution, severally, they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations, and further to continue in force the act, entitled 'An act providing the means of intercourse between the United States and foreign nations;'" and the enrolled bill, entitled "An act to provide for the defence of certain ports and harbors in the United States;" and they were delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives.*

The minister plenipotentiary of the French Republic having requested an advance of money, I transmit to Congress certain documents relative to that subject.

G. WASHINGTON.

*United States, March 18, 1794.*

The message and papers were read.

*Ordered*, That they lie for consideration.

The resolution sent from the House of Representatives for concurrence, "authorizing the President of the United States to employ, as dispatch boats, such of the revenue cutters as the public exigencies may require," was read.

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence.

The bill sent from the House of Representatives for concurrence, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," was read the first time.

*Ordered*, That this bill pass to the second reading.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had this day laid the following enrolled bills before the President of the United States: the bill entitled "An act authorizing a loan of one million of dollars;" the bill, entitled "An act making further provision for the expenses attending the intercourse of the United States with foreign nations, and further to continue in force the act, entitled 'An act providing the means of intercourse between the United States and foreign nations;'" and the bill, entitled "An act to provide for the defence of certain ports and harbors in the United States."

The Senate resumed the second reading of the bill sent from the House of Representatives for concurrence, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country."

*Ordered*, That this bill pass to the third reading.

On motion,

*Ordered*, That the Secretary of the Senate pay out of the contingent money, to John Dunlap, two hundred and thirty-seven dollars; being the amount of his account for printing the journals of the Senate during the two last sessions of Congress.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, MARCH 19, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act to provide a naval armament," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The report of the committee to whom was referred the petition of Jabez Rogers, jr. was read.

On motion,

*Ordered*, That it be adopted, and that the committee be instructed to bring in a bill for the purposes therein expressed.

Mr. Bradley, from the committee last mentioned, reported a bill for the remission of the duties on certain distilled spirits destroyed by fire, which was read the first time.

*Ordered*, That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives of the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act making appropriations for the support of the military establishment of the United States, for the year one thousand seven hundred and ninety-four," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary notify the House of Representatives of the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," was read the second time.

*Ordered*, That this bill be referred to Messrs. Gunn, King, and Bradley, to consider and report thereon to the Senate.

On motion,

*Ordered*, That leave be given to bring in a bill to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress.

The bill was accordingly laid on the table, and read the first time.

*Ordered*, That this bill pass to the second reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act to provide a naval armament," And he withdrew.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the enrolled resolution "authorizing the President of the United States to employ, as dispatch boats, such of the revenue cutters as the public exigencies may require;" and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled resolution, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the last mentioned enrolled resolution, and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States, for his approbation.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, MARCH 20, 1794.

The bill to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress, was read the second time.

*Ordered*, That this bill be referred to Messrs. Livermore, Gunn, and Ellsworth, to consider and report thereon to the Senate.

The bill for the remission of the duties on certain distilled spirits, destroyed by fire, was read the second time.

*Ordered*, That the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act for the remission of the duties on certain distilled spirits destroyed by fire."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Cabot, from the committee to whom was referred the bill, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," reported amendments.

*Ordered*, That they be printed for the use of the Senate.

Mr. Vining reported, from the Committee on Enrolled Bills, that they did yesterday lay the enrolled "resolution authorizing the President of the United States to employ, as dispatch boats, such of the revenue cutters as the public exigencies may require," before the President of the United States, for his approbation; also, that they had examined the following enrolled bills, to wit: The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand seven hundred and ninety four; the bill, entitled "An act to prohibit the carrying on the slave-trade from the United States to any foreign place or country;" and the bill, entitled "An act to provide a naval armament," and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives, that he this day approved and signed the following acts, to wit: "An act making further provision for the expenses attending the intercourse of the United States with foreign nations;" and further to continue in force the act, entitled "An act providing the means of intercourse between the United States and foreign nations;" "An act authorizing a loan of one million of dollars;" "An act to provide for the defence of certain ports and harbors in the United States;" and "the resolution authorizing the President of the United States to employ, as dispatch boats, such of the revenue cutters as the public exigencies may require."

The Speaker of the House of Representatives having signed three enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand seven hundred and ninety-four;" the enrolled bill, entitled "An act to prohibit the carrying on the slave-trade from the United States to any foreign place or country;" and the enrolled bill, entitled "An act to provide a naval armament;" and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Gunn, from the committee to whom was referred the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," reported amendments, which were adopted.

*Ordered*, That this bill pass to the third reading.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MARCH 21, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had this day laid the following enrolled bills before the President of the United States for his approbation: The bill, entitled "An act making appropriations for the support of the military establishment of the United States for the year one thousand seven hundred and ninety-four;" the bill, entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country;" and the bill, entitled "An act to provide a naval armament."

Mr. Livermore, from the committee to whom was referred the bill to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress, reported amendments.

*Ordered*, That the amendments be printed for the use of the Senate.

The report of the committee to whom was referred the bill, entitled "An act limit-

ing the time for presenting claims for destroyed certificates of certain descriptions," was read.

*Ordered*, That the consideration thereof be postponed until Monday next.

The Senate resumed the consideration of the motion, made on the 18th instant, that it be

*Resolved*, That a committee be appointed to examine into, and report on, the practicability of obtaining statements of the principles on which the accounts of the individual states with the United States have been settled, and a statement of the several credits allowed in the said settlement;" and,

On motion,

To adopt this resolution:

It passed in the negative, { Yeas . . . . . 6.  
Nays . . . . . 16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Edwards, Hawkins, Martin, Monroe, Potts, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Bradley, Brown, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Jackson, Izard, Langdon, Livermore, Mitchell, Morris, Robinson, and Strong,

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill sent from the Senate for concurrence, entitled "An act allowing to major general La Fayette his pay and emoluments, while in the service of the United States."

The House of Representatives have passed a bill, entitled "An act for the relief of Stephen Paraque;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered*, That this bill pass to the second reading.

A motion was made,

That a committee be appointed to consider and report in what manner the duties of the office of a district judge shall be discharged, during the inability of the judge of a district.

*Ordered*, That the motion be referred to Messrs Ellsworth, Strong, and Langdon, to consider and report thereon to the Senate.

The Senate adjourned until 11 o'clock on Monday morning.

MONDAY, MARCH 24, 1794.

Kensy Johns, Esq. appeared and produced credentials of an appointment by the Governor of the State of Delaware as a Senator for the United States, which were read.

Whereupon,

It was moved, that they be referred to the consideration of the Committee of Elections before the said Kensy Johns should be permitted to qualify, who are directed to report thereon; and

It passed in the affirmative, { Yeas . . . . . 13  
Nays . . . . . 12.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Edwards, Gunn, Hawkins, Jackson, Langdon, Livermore, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Izard, Mitchell, Morris, Potts, Rutherford, Strong, and Vining.

A message from the House of Representatives, by Mr. Lambert, in the absence of Mr. Beckley, detained by sickness:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," in which they desire the concurrence of the Senate.

The President of the United States hath notified the House of Representatives, that he did on the 21st instant approve and sign the act, entitled "An act making appropriations for the support of the military establishment of the United States, for the year one thousand seven hundred and ninety-four;" and, on the 22d instant, the act entitled "An act to prohibit the carrying on the slave trade from the United States to any foreign place or country." And he withdrew.



The memorial of a number of citizens of the State of South Carolina was presented and read, complaining of the system continued and pursued in the capture, detention, and condemnation, in British ports, of a number of vessels with their cargoes, the property of the citizens of the United States.

*Ordered*, That this memorial lie for consideration.

The Vice President laid before the Senate the report of the Attorney General, on the memorial of the French inhabitants of Gallipolis, and it was read.

*Ordered*, That this report, and the papers referred to, be committed to Messrs Burr, Taylor, and Ellsworth, to consider and report thereon to the Senate.

The Senate resumed the second reading of the bill to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress.

*Ordered*, That this bill pass to the third reading.

Mr. Jackson gave notice, that he should, to-morrow, move for leave to bring in a bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the relief of Stephen Paraque," was read the second time.

*Ordered*, That this bill be referred to Messrs. Cabot, Ellsworth, and Morris, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, MARCH 25, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act allowing to major general La Fayette his pay and emoluments while in the service of the United States," and that it was duly enrolled.

The bill to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress," was read the third time; and, being amended,

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," was read the second time.

*Ordered*, That this bill be referred to Messrs Jackson, Langdon, and Foster, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the Vice President.

The House of Representatives disagree to the first amendment of the Senate to the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes;" ask a conference on the subject-matter of all the amendments to the said bill, and have appointed managers at the said conference on their part. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act allowing to major-general La Fayette his pay and emoluments, while in the service of the United States," and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States, for his approbation.

The Senate proceeded to consider the resolution of the House of Representatives, disagreeing to the first amendment of the Senate to the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," and asking a conference on all the amendments. Whereupon,

*Resolved*, That the Senate agree to the proposed conference, and that Messrs. Gunn, Bradley, and Ellsworth, be managers at the same, on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:



*Gentlemen of the Senate,  
and of the House of Representatives:*

The two letters which I now forward to Congress were written by a consul of the United States, and contain information which will, probably, be thought to require some pecuniary provision.

G. WASHINGTON.

*United States, March 25, 1794.*

The message and papers therein referred to were read.

*Ordered,* That they lie for consideration.

The consideration of the report of the committee on the bill, sent from the House of Representatives for concurrence, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," was resumed, adopted with amendment, and it was agreed that the bill be amended accordingly.

*Ordered,* That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences from the district to the circuit court of New Hampshire, and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered,* That this bill pass to the second reading.

Conformable to notice given, Mr. Jackson obtained leave to bring in a bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States; which was read the first time.

*Ordered,* That this bill pass to the second reading.

On motion,

*Resolved,* That Thursday next be assigned to take into consideration the state of the nation.

Mr. Vining reported, from the committee, that they had this day laid the enrolled bill, entitled "An act allowing to major general La Fayette his pay and emoluments while in the service of the United States," before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MARCH 26, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," was read the third time.

*Resolved,* That this bill pass with amendments.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed "a resolution laying an embargo on the vessels in the ports of the United States;" in which they desire the concurrence of the Senate. And he withdrew.

The Senate took into consideration the last mentioned resolution, "laying an embargo on the vessels in the ports of the United States;" and,

*Resolved,* That they do concur therein with the following amendment:

Line 7, after the word 'states,' insert 'whether cleared out or not.'

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendment.

Mr. Bradley reported from the Committee of Elections, to whom was referred the credentials of the honorable Kensey Johns, appointed by the Executive of the state of Delaware a Senator of the United States, in place of the honorable George Read, resigned.

*Ordered,* That the report lie for consideration.

The bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States, was read the second time.

On motion,

*Ordered,* That this bill be referred to Messrs. Ellsworth, Langdon, and Strong, to consider and report thereon.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives concur in the amendment of the

Senate to "the resolution laying an embargo on the vessels in the ports of the United States." And he withdrew.

Mr. Vining, from the Committee on Enrolled Bills, reported, that they had examined "the resolution laying an embargo on the vessels in the ports of the United States," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled resolution, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled "resolution laying an embargo on the vessels in the ports of the United States," and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

Mr. Vining, from the committee last mentioned, reported, that they had this day laid the said enrolled resolution before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress." And he withdrew.

Mr. Cabot, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act for the relief of Stephen Pararque," reported the bill without amendment.

*Ordered,* That this bill pass to the third reading.

Mr. Jackson, from the committee to whom was referred the bill, sent from the House of Representatives for concurrence, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," reported amendments, which were read.

*Ordered,* That they lie for consideration.

On motion,

*Ordered,* That the Senate be at present under an injunction of secrecy, in respect to the amendment to the resolution laying an embargo on the vessels in the ports of the United States.

The Senate adjourned until 11 o'clock to-morrow morning.

#### THURSDAY, MARCH 27, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Stephen Pararque," was read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate proceeded to the consideration of the report of the Committee of Elections, to whom was referred the credentials of the honorable Kensey Johns, appointed by the Executive of the state of Delaware to be a Senator of the United States.

On motion, that the report be recommitted,

It passed in the negative; and, after progress,

On motion,

*Ordered,* That the further consideration of this report be postponed until to-morrow.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States this day approved and signed the act, entitled "An act allowing to major general La Fayette his pay and emoluments while in the service of the United States."

*Ordered,* That the Secretary acquaint the House of Representatives therewith.

Mr. Gunn reported, from the managers appointed to confer with those of the House of Representatives on the amendments proposed by the Senate to the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes," that they have agreed that it would be proper, instead of the amendments proposed to the first section, to amend the same by striking out, from the word 'stores,' in the 2d line, to the word 'provided,' in the 8th line, and insert:

'There shall be established, under the direction of the President of the United States, three or four arsenals with magazines, as he shall judge most expedient, in such places as will best accommodate the different parts of the United States; either

or both of the arsenals heretofore used at Springfield and Carlisle to be continued as part of the said number at his discretion.'

And that it would be proper for the House of Representatives to agree to the other amendments proposed, except the last, and for the Senate to recede from that.

And it was agreed to adopt the report.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States hath notified the House of Representatives that he did, on the 26th instant, approve and sign "A resolution laying an embargo on the vessels in the ports of the United States; and that he hath this day approved and signed "An act to provide a naval armament."

The House of Representatives adhere to their disagreement to some, and recede from their disagreement to other amendments to the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes." And he withdrew.

The Senate took into consideration the bill last mentioned.

**Whereupon,**

*Resolved*, That they recede from their amendments to the first section, and adopt the amendment reported by the managers at the conference thereon.

*Resolved*, That they recede from their amendment to the sixth section, and that they insist on their amendment to the third section of the said bill.

*Ordered,* That the Secretary communicate these resolutions to the House of Representatives.

On motion,

It was agreed that the order of the day, which was to take into consideration the state of the nation, be postponed until to-morrow.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MARCH 28, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress;" also, the bill, entitled "An act for the relief of Stephen Paraque;" and that they were duly enrolled.

The Senate resumed the consideration of the report of the Committee of Elections, to whom was referred the credentials of the honorable Kensey Johns, appointed by the Executive of the state of Delaware to be a Senator of the United States; which report is as follows:

"The Committee of Elections to whom were referred the credentials of an appointment by the governor of the state of Delaware, of Kensey Johns, as a Senator of the United States, having had the same under consideration, report,

“That George Read, a Senator for the state of Delaware, resigned his seat upon the 18th day of September, 1793, and during the recess of the legislature of said state.

“That the legislature of the said state met in January and adjourned in February, 1794.

“ That, upon the 19th day of March, and subsequent to the adjournment of the said legislature, Kensey Johns was appointed, by the governor of said state, to fill the vacancy occasioned by the resignation aforesaid.

“Whereupon, the committee submit the following resolution:

*“Resolved, That Kensey Johns, appointed by the governor of the state of Delaware, as a Senator of the United States, for said state, is not entitled to a seat in the Senate of the United States; a session of the legislature of the said state having intervened, between the resignation of the said George Read and the appointment of the said Kensey Johns.”*

On the question to agree to this report,

It passed in the affirmative, { Yeas . . . . . 20  
Nays . . . . . 7.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Bradley, Brown, Burr, Butler, Cabot, Edwards, Ellsworth, Frelinghuysen, Gunn, Hawkins, Jackson, King, Langdon, Livermore, Martin, Mitchell, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Foster, Izard, Morris, Potts, Rutherford, Strong, and Vining.

*Resolved*, That an attested copy of the resolution of the Senate on the appointment of Kensey Johns, Esq. to be a Senator of the United States, be transmitted, by the President of the Senate, to the Executive of the state of Delaware.

A message in writing was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,  
and of the House of Representatives:*

In the execution of the resolution of Congress, bearing date the 26th of March, 1794, and imposing an embargo, I have requested the governors of the several states to call forth the force of their militia, if it should be necessary for the detention of vessels. This power is conceived to be incidental to an embargo.

It also deserves the attention of Congress, how far the clearances from one district to another, under the law as it now stands, may give rise to evasions of the embargo. As one security, the collectors have been instructed to refuse to receive the surrender of coasting licenses for the purpose of taking out registers, and to require bond from registered vessels, bound from one district to another, for the delivery of the cargo within the United States.

It is not understood, that the resolution applies to fishing vessels; although their occupations lie generally in parts beyond the United States. But, without further restrictions, there is an opportunity of their privileges being used as means of eluding the embargo.

All armed vessels, possessing public commissions from any foreign power, (letters of marque excepted,) are considered as not liable to the embargo.

These circumstances are transmitted to Congress for their consideration.

G. WASHINGTON.

*United States, March 28, 1794.*

On motion,

*Ordered,* That the message from the President of the United States of this day be referred to Messrs. Burr, Morris, and Langdon, to consider and report thereon to the Senate.

The Senate proceeded to the consideration of the amendments reported by the committee, to whom was referred the bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," and having adopted the same, and agreed that the bill be amended accordingly,

*Ordered,* That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences, from the district to the circuit court of New Hampshire, and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district," was read the second time.

*Ordered,* That this bill pass to the third reading.

Mr. Vining notified the Senate that he should on Monday next move for leave to bring in a bill to alter the times of holding the circuit courts of the United States, in the district of Delaware.

Mr. Ellsworth, from the committee to whom was referred the bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States, reported an amendment, which was adopted, and it was agreed that the bill should be amended accordingly.

*Ordered,* That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Lambert, in the absence of Mr. Beckley, their Clerk, detained by sickness:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress;" also, the enrolled bill, entitled "An act for the relief of Stephen Paraque;" and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Agreeable to the order of the day, the Senate resumed the motion made the 25th instant, to take into consideration the state of the nation; and, after debate.

*Ordered,* That the consideration thereof be postponed.

A message from the House of Representatives, by Mr. Lambert:

*Mr. President:* The House of Representatives recede from their disagreement to the amendment insisted on by the Senate, to the bill, entitled "An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes." And he withdrew.

The Senate adjourned until 11 o'clock on Monday morning.



MONDAY, MARCH 31, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences, from the district to the circuit court of New Hampshire, and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

Mr. Burr, from the committee to whom was referred the message from the President of the United States, of the 28th instant, reported a resolution to carry into more complete effect the resolution directing an embargo; which was read.

*Resolved*, That this resolution pass.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this resolution.

A message from the House of Representatives, by Mr. Lambert, in the absence of Mr. Beckley, their Clerk, detained by sickness:

*Mr President*: The House of Representatives do not concur in the resolution sent from the Senate to carry into more complete effect the resolution directing an embargo.

They have passed "A resolution to carry into more complete effect the resolution directing an embargo;" in which they desire the concurrence of the Senate. And he withdrew.

The Senate proceeded to the consideration of the last mentioned resolution, sent from the House of Representatives for concurrence.

*Resolved*, That they do concur therein.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this resolution.

The bill to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States, was read the third time.

On motion,

It was agreed to amend the bill, by inserting 'two thousand' in lieu of 'one thousand, dollars.

On the question Shall this bill pass?

It passed in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 13 \\ \text{Nays} \dots\dots 8. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Burr, Butler, Cabot, Gunn, Hawkins, Jackson, Izard, King, Martin, Monroe, Morris, and Taylor.

Those who voted in the negative, are,

Messrs. Bradley, Brown, Ellsworth, Frelinghuysen, Langdon, Livermore, Robinson, and Strong.

So it was,

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be "An act to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY APRIL 1, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river, and other places." And he withdrew.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act to provide for the erecting and repairing of arsenals, and

magazines, and for other purposes;" the bill, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences, from the district to the circuit court of New Hampshire, and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district;" and "the resolution to carry into more complete effect the resolution directing an embargo;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed two enrolled bills and an enrolled resolution, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bills and the enrolled resolution last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States for his approbation.

The petition of Elkanah Prentice, praying compensation for military services, and that he be placed on the list of invalid pensioners, was presented and read.

*Ordered,* That this petition be referred to the Secretary for the Department of War to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, APRIL 2, 1794.

The Vice President laid before the Senate a letter from the Secretary for the Department of the Treasury, enclosing "a memoir of Mr. La Rocque on the politics of the United States respecting their public debt and agriculture."

The Vice President laid before the Senate a letter from the honorable Anthony Morris, Speaker of the Senate of the commonwealth of Pennsylvania, enclosing a certificate of the election of the honorable James Ross to be a Senator, to represent said commonwealth in the Senate of the United States; which were read.

*Ordered,* That they lie on file.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and Providence river, and other places," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river, and other places," and it was delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

Mr. Foster reported, from the Committee on Enrolled bills, that they did yesterday lay the following enrolled bills and enrolled resolution before the President of the United States, to wit: the bill, entitled "An act to provide for the erecting and repairing of arsenals, and magazines, and for other purposes;" the bill, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences from the district to the circuit court of New-Hampshire, and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district;" the bill, entitled "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress;" the bill, entitled "An act for the relief of Stephen Paraque;" and the "resolution to carry into more complete effect the Resolution directing an embargo."

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, APRIL 3, 1794.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States did, yesterday, approve and sign the act, entitled "An act to authorize the President of the United States, in certain cases, to alter the place for holding a session of Congress."

*Ordered,* That the Secretary acquaint the House of Representatives therewith.

The Vice President laid before the Senate a report of the Secretary for the Department of War, on the petition of Elkanah Prentice, which was read.

*Ordered,* That it lie on the table.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States hath notified the House of Representatives, that he did on the second instant approve and sign the act, entitled

"An act to provide for the erecting and repairing of arsenals and magazines, and for other purposes;" and the act, entitled "An act for the relief of Stephen Paraque;" also, "the resolution to carry into more complete effect the resolution directing an embargo;" and that he this day approved and signed the act, entitled "An act transferring, for a limited time, the jurisdiction of suits and offences from the district to the circuit court of New Hampshire; and assigning certain duties, in respect to invalid pensioners, to the attorney of the said district." And he withdrew.

After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, APRIL 4, 1794.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,  
and of the House of Representatives:*

I lay before you three letters from our minister in London; advices concerning the Algerine mission from our minister at Lisbon and others; and a letter from the minister plenipotentiary of the French Republic to the Secretary of State, with his answer.

G. WASHINGTON.

*United States, April 4, 1794.*

The message and papers therein referred to were read.

*Ordered,* That the letters from the American minister in London, and the letter of the 27th of March last, from the minister plenipotentiary of the French Republic, to the Secretary for the Department of State, together with his answer, referred to in the message of the President of the United States of this day, be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to encourage the recruiting service;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered,* That this bill pass to the second reading.

A motion was made as follows:

*Ordered,* That the Secretary of War do lay before the Senate a statement of the period to which the troops of the United States have been paid.

*Ordered,* That this motion lie on the table.

Mr. King reported, from the joint committee, appointed to consider and report what business is necessary to be done by Congress in the present session, and what part of the business now depending may be without great inconvenience postponed until the next session, that the proceedings may be so regulated as to close this session by the first Monday in April next; and the report was read.

*Ordered,* That it lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act to establish the post-office and post roads within the United States;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered,* That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned until 11 o'clock on Monday morning.

### MONDAY, APRIL 7, 1794.

Mr. Foster reported, from the Committee for Enrolled Bills, that they did on the third instant lay before the President of the United States the bill, entitled "An act to provide for placing buoys on certain rocks off the harbor of New London, and in Providence river and other places."

The bill sent from the House of Representatives for concurrence, entitled "An act to encourage the recruiting service," was read the second time.

*Ordered,* That this bill be referred to Messrs. Ellsworth, Brown, and Gunn, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act

to establish the post-office and post roads within the United States," was read the second time.

*Ordered*, That this bill be referred to Messrs. Brown, Butler, Ellsworth, Foster, Gunn, Hawkins, King, Livermore, Monroe, Morris, Potts, Robinson, Rutherford, Strong, and Vining, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, APRIL 8, 1794.

The Senate assembled:

On motion,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, APRIL 9, 1794.

The honorable John Henry, from the state of Maryland, attended.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the following bills, to which, severally, they desire the concurrence of the Senate: a bill, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life;" a bill, entitled "An act for the relief of Leffert Lefferts and others;" a bill, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army;" and a bill, entitled "An act for erecting a light-house on the island of Seguin, in the district of Maine."

The President of the United States hath notified the House of Representatives, that he did, on the 5th instant, approve and sign "An act to provide for placing buoys on certain rocks off the harbour of New London, and in Providence river, and other places." And he withdrew.

The bill sent from the House of Representatives for concurrence, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life," was read the first time.

*Ordered*, That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Leffert Lefferts and others," was read the first time.

*Ordered*, That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," was read the first time.

*Ordered*, That this bill pass to the second reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act for erecting a light-house on the Island of Seguin, in the district of Maine," was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, APRIL 10, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act limiting the time for presenting claims, for destroyed certificates of certain descriptions." And he withdrew.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions," and it was delivered to the committee to be laid before the President of the United States for his approbation.

The bill sent from the House of Representatives for concurrence, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life," was read the second time.



*Ordered*, That this bill be referred to Messrs. Taylor, Bradley, and Ellsworth, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Leffert Lefferts and others," was read the second time.

*Ordered*, That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act for erecting a light-house on the Island of Seguin, in the district of Maine," was read the second time.

On motion to add the following clause as an amendment to the bill, to wit:

'And, also, to provide by contract for building a light-house on the Island of Cumberland, at the entrance of the river St. Mary's in the state of Georgia.'

*Ordered*, That this bill, together with the amendment proposed thereto, be referred to Messrs. Cabot, Jackson, and Rutherford, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," was read the second time.

*Ordered*, That this bill be referred to Messrs. Mitchell, Brown, and Monroe, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, APRIL 11, 1794.

The Senate assembled: and the several committees not having perfected their reports,

On motion,

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, APRIL 14, 1794.

The Vice President laid before the Senate a letter from the Secretary for the Department of Treasury, with a general statement of exports from the United States for one year, ending on the 30th day of September, 1793; which were read.

*Ordered*, That they lie for consideration.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the relief of Leffert Lefferts and others," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The Senate adjourned to 11 o'clock to-morrow morning.

#### TUESDAY, APRIL 15, 1794.

Mr. Mitchell, from the committee to whom was referred the bill, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," reported, that the bill pass without amendment; and, the report being adopted,

*Ordered*, That this bill pass to the third reading.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

I lay before you a letter from the minister plenipotentiary of his Britannic Majesty to the Secretary of State; a letter from the Secretary of the territory south of the river Ohio, enclosing an ordinance and proclamation of the Governor thereof; the translation of so much of a petition of the inhabitants of Post Vincennes, addressed to the President, as relates to Congress; and certain dispatches lately received from our commissioners at Madrid. These despatches from Madrid being a part of the business which has been hitherto deemed confidential, they are forwarded under that view.

G. WASHINGTON.

*United States, April 15, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, APRIL 16, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Brown, from the committee to whom was referred the bill, entitled "An act to establish the post office and post roads within the United States," reported amendments, which were read and adopted; and, the bill being amended accordingly,

*Ordered*, That this bill pass to the third reading.

Mr. Foster, from the Committee on Enrolled Bills, reported, that they had examined the bill, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," and that it was duly enrolled.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, APRIL 17, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act for the relief of Leffert Lefferts and others," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," and the enrolled bill, entitled "An act for the relief of Leffert Lefferts and others," and they were delivered to the Committee on Enrolled Bills, to be laid before the President of the United States for his approbation.

Mr. Vining reported from the committee that they had this day laid the last mentioned enrolled bills before the President of the United States, and also the enrolled bill, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions."

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, APRIL 18, 1794.

The petition of Ebenezer Parsons and others was presented and read, praying that certain vessels mentioned in the petition, on account of the perishable nature of their cargoes, may be exempted from the embargo.

*Ordered*, That this petition lie on the table.

Two memorials, from Spencer Man, and Frantz Jacob Foltz, were presented and severally read, praying allowance of the drawback on a quantity of exported coffee and brandy, the petitioners being unavoidably prevented from compliance with the legal formalities requisite to entitle them thereto.

*Ordered*, That these petitions severally lie on the table.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed "a resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place," in which they desire the concurrence of the Senate. And he withdrew.

The resolution was read.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives, that he this day approved and signed the following acts: "An act to authorize Ephraim Kimberly to locate the land warrant issued to him for services in the late American army," and "An act for the relief of Leffert Lefferts and others." And he withdrew.

Mr. Bradley reported from the committee to whom was referred the consideration of the laws passed in the territory of the United States northwest of the river Ohio,

from July to December, inclusive, that they be referred to the next session of Congress; and the report was adopted.

The Senate took into consideration "the resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place."

On motion,

It was agreed to amend the resolution by striking out all the provisos, as follow:

"Provided, That nothing in this resolution be construed as intended to contravene any rights or privileges arising out of treaty or treaties between any foreign nation and the United States: And, provided, also, that the President of the United States be authorized to permit the sailing of any vessel for the sole purpose of lodging, in the courts of vice admiralty in any of the West India Islands, appeals from sentences, or decrees, of the said courts, whereby vessels or cargoes claimed by American citizen or citizens, have been condemned: Provided, that bond, with sufficient security, be previously given that such vessel shall not, directly or indirectly, carry on any commerce whatsoever during the voyage."

On the question, to concur in the resolution as amended,

It passed in the affirmative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 17} \\ \text{Nays . . . . . 10.} \end{array} \right.$

The yeas and nays being required by one fifth of the Senators present:

Those who voted in the affirmative, are,

Messrs. Brown, Burr, Butler, Edwards, Frelinghuysen, Gunn, Hawkins, Henry, Jackson, Izard, King, Langdon, Martin, Monroe, Potts, Rutherford, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Bradley, Cabot, Ellsworth, Foster, Livermore, Morris, Robinson, Strong, and Vining,

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment to this resolution.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendment of the Senate to "the resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place." And he withdrew.

The bill, sent from the House of Representatives for concurrence, entitled "An act to establish the post-office and post roads within the United States," was in part read the third time.

*Ordered*, That the further consideration of the bill at this time be postponed.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined "The resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled resolution, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed "The resolution to continue the present embargo on ships or vessels in the ports of the United States bound to any foreign port or place," and it was delivered to the committee, to be laid before the President of the United States for his approbation.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### SATURDAY, APRIL 19, 1794.

Mr. Foster reported, from the Committee for Enrolled Bills, that they did yesterday lay before the President of the United States the enrolled "Resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place."

On motion,

That the petition of Ebenezer Parsons, and others, praying for an exemption from the embargo, be referred to a special committee,

It passed in the negative.

On motion,

*Ordered*, That Ebenezer Parsons, and others, have leave to withdraw their petition. After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

MONDAY, APRIL 21, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act to establish the post office and post roads within the United States," was read the third time, and further amendments being agreed to,

*Resolved*, That this bill pass as amended.

On motion,

To reconsider the resolution that this bill pass, for the purpose of further amendment,

It passed in the negative.

*Ordered*, That the Secretary communicate this resolution to the House of Representatives, and request their concurrence in the amendments.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives, that he did, on the 18th instant, approve and sign "The resolution to continue the present embargo on ships or vessels in the ports of the United States, bound to any foreign port or place;" and that he this day approved and signed the act, entitled "An act limiting the time for presenting claims for destroyed certificates of certain descriptions." And he withdrew.

The petition of Messrs. Stewart and Plunket was presented and read, praying reimbursement of the duties on a quantity of coffee, said to be destroyed by fire.

*Ordered*, That this petition be referred to Messrs. Potts, Cabot, and Edwards, to consider and report thereon.

The petition of Henry Merchant, district judge for Rhode Island, praying an augmentation of his salary, was presented and read.

*Ordered*, That this petition lie on the table.

A motion was made as follows:

"That the journals of the Senate, and reports from the heads of departments, printed by order of the Senate, shall be in octavo:

"That, if the House of Representatives concur, three hundred copies of the journals of both Houses since the commencement of the present government, be printed for the use of Congress."

*Ordered*, That this motion lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, APRIL 22, 1794.

The Vice President laid before the Senate a letter from Monsr. Olive, with the plan of a forty gun ship.

*Ordered*, That they lie on the table.

Mr. Taylor, from the committee to whom was referred the bill, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life," reported an amendment.

*Ordered*, That this report lie until to-morrow for consideration.

The petition of Stephen Parsons, in behalf of William Parsons, was presented and read, praying compensation for military services to the said William, who has been hitherto prevented from applying by his absence from the country.

*Ordered*, That this petition lie on the table.

The Senate resumed the consideration of the motion made yesterday, relative to the mode of printing the journals, bills, and reports from the heads of departments; and, having amended the same,

*Resolved*, That, after the present session, the bills, the journals, and all reports from the heads of departments, and all official communications which may be directed to be printed by order of the Senate, shall be in octavo.

The Senate adjourned to 11 o'clock to-morrow morning.

WEDNESDAY, APRIL 23, 1794.

The Senate resumed the consideration of the report of the committee on the bill, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life;" and, having adopted the same, and amended the bill accordingly,

*Resolved*, That the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass with an amendment.



*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment to this bill.

The petition of James Shaw was presented and read, praying compensation for military services and supplies.

On motion,

That the petition be referred to a special committee,

It passed in the negative.

On motion,

*Ordered*, That the petitioner have leave to withdraw his petition.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives disagree to some, and agree to other, amendments of the Senate to the bill, entitled "An act to establish the post-office and post roads within the United States."

The House of Representatives have passed the bill, entitled "An act directing a detachment from the militia of the United States;" and the bill, entitled "An act providing for raising and organizing a corps of artillerists and engineers;" in which several bills they desire the concurrence of the Senate. And he withdrew.

The Vice President laid before the Senate a letter from the Secretary for the Department of State, enclosing the translation of a letter from the members of the committee of public safety in France, the original of which was addressed to Congress.

On motion,

That it be referred to a committee to take the same into consideration, and to report the draught of an answer:

It was agreed that the consideration thereof be postponed until to-morrow.

The Senate proceeded to consider the resolution of the House of Representatives, disagreeing to sundry amendments of the Senate to the bill, entitled "An act to establish the post-office and post roads within the United States."

On motion,

*Resolved*, That they insist on their tenth amendment to the first section, and to their amendment for adding a new section to follow the twenty-seventh section, and that a conference with the House of Representatives be requested on the subject of disagreement, and that Messrs. King, Burr, and Jackson, be managers at the same on the part of the Senate.

On the question, that the Senate recede from their amendment for striking out the twenty-first section, as follows:

SEC. 21. And be it further enacted, That every printer of newspapers may send one paper to each and every other printer of newspapers within the United States, free of postage, under such regulations as the Postmaster General shall provide:

It passed in the affirmative, { Yeas . . . . . 17  
Nays . . . . . 9.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Bradley, Brown, Burr, Butler, Edwards, Foster, Frelinghuysen, Gunn, Henry, Jackson, Langdon, Livermore, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Cabot, Ellsworth, Hawkins, Izard, King, Morris, Potts, Rutherford, and Strong.

*Ordered*, That the Secretary communicate these resolutions to the House of Representatives.

The bill, sent from the House of Representatives for concurrence, entitled "An act directing a detachment from the militia of the United States," was read the first time.

*Ordered*, That this bill pass to the second reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act providing for raising and organizing a corps of artillerists and engineers," was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, APRIL 24, 1794.

The honorable James Ross, from the state of Pennsylvania; attended and took his seat in the Senate.

The oath was, by the Vice President, administered to Mr. Ross, as the law provides.

The bill sent from the House of Representatives for concurrence, entitled "An act providing for raising and organizing a corps of artillerists and engineers," was read the second time.

*Ordered*, That this bill be referred to Messrs. Gunn, Taylor, Bradley, King, and Langdon, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act directing a detachment from the militia of the United States," was read the second time.

*Ordered*, That this bill also be referred to the committee last named, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the proposed conference, on the disagreeing votes of the two Houses on the amendments of the Senate to the bill, entitled "An act to establish the post office and post roads within the United States;" and have appointed managers at the said conference on their part. And he withdrew.

The Senate resumed the consideration of the letter yesterday laid before the Senate, from the committee of public safety of the French Republic.

A motion was made that it be

*Ordered*, That the letter of the committee of public safety of the French Republic, addressed to Congress, be transmitted to the President, and that he be requested to cause the same to be answered, on behalf of the United States, in such manner as shall manifest their sincere friendship and good will for the French Republic.

On which it was moved that this motion be referred to a committee, to consider and report thereon; and

It passed in the negative, { Yeas . . . . . 13.  
Nays . . . . . 15.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradley, Brown, Burr, Butler, Edwards, Gunn, Hawkins, Jackson, Langdon, Martin, Monroe, Robinson, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Henry, Izard, King, Livermore, Morris, Potts, Ross, Rutherford, Strong, and Vining.

A motion was made by Mr. Martin to postpone the consideration of the motion before the Senate, for the purpose of considering the following motion:

*Resolved*, by the Senate and House of Representatives in Congress assembled, That the letter of the committee of public safety of the French Republic, addressed to Congress, be transmitted to the President, and that he be requested to cause the same to be answered in behalf of the United States, in such manner as shall manifest their friendship and good will for the French nation, with their sincere wishes for the prosperity of that Republic; and

It passed in the negative.

On motion,

It was agreed to amend the original motion by inserting these words: 'Senate of the' before the word 'United.'

On motion,

To amend the motion by adding these words, after the word 'states:'

'Congratulating them upon the late brilliant successes of the arms of the Republic, and the establishment of liberty and order, and the progress of industry;'

It passed in the negative.

On the question to agree to the motion amended as follows:

*Ordered*, That the letter of the committee of public safety of the French Republic, addressed to Congress, be transmitted to the President, and that he be requested to cause the same to be answered on behalf of the Senate of the United States, in such manner as shall manifest their sincere friendship and good will for the French Republic:

It passed in the affirmative:—Yeas 28.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Bradley, Brown, Burr, Butler, Cabot, Edwards, Ellsworth, Foster, Frelinghuysen, Gunn, Hawkins, Henry, Jackson, Izard, King, Langdon, Livermore, Martin, Monroe, Morris, Potts, Robinson, Ross, Rutherford, Strong, Taylor, and Vining.

*Ordered*, That the Secretary lay a copy of this vote of the Senate before the President of the United States.

Mr. Ellsworth, from the committee to whom was referred the bill, entitled "An act to encourage the recruiting service," reported amendments.

*Ordered*, That the amendments be printed for the use of the Senate.

On motion,

*Ordered*, That Robert Connolly have leave to withdraw his petition.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, APRIL 25, 1794.

The Vice President laid before the Senate a report from the Secretary for the Department of War respecting invalid pensioners, which was read.

*Ordered*, That this report be referred to Messrs. Taylor, Ellsworth, Brown, Jackson, and Livermore, to consider and report thereon to the Senate.

The amendments reported by the committee to the bill, entitled "An act to encourage the recruiting service," were considered, adopted, and the bill amended accordingly.

On motion,

It was agreed that the rule be so far dispensed with as that this bill be now read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life." They have passed a bill, entitled "An act to suspend the importation of certain goods, wares, and merchandise," in which they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate adjourned to 11 o'clock on Monday morning.

#### MONDAY, APRIL 28, 1794.

Mr. King reported from the managers at the conference on the part of the Senate, on the disagreeing votes of the two Houses respecting the bill, entitled "An act to establish the post-office and post roads within the United States," and the report was adopted.

Whereupon,

*Resolved*, That, in lieu of the tenth amendment proposed by the Senate, the following be substituted:

Make the two paragraphs one, thus:

After 'Connojoharrie' strike out 'to' and insert 'and;' and after 'Whitestown' strike out all that follows, to 'Montgomery,' inclusive, and insert 'to Kanandorque, and from some convenient point in that line.'

So that the paragraph be read thus:

From Albany, by Schenectady, Connojoharrie, and Whitestown, to Kanandorque, and from some convenient point in that line through Cherry Valley to the Court House in Cooperstown, in the county of Otsego.

In the new section proposed by the Senate to follow the 27th section, after the words 'two cents,' insert, 'Provided, That no letter shall be delivered to such letter-carrier for distribution, addressed to any person who shall have lodged at the post-office a written request, that his letters shall be detained in the office.'

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in these amendments.

The bill sent from the House of Representatives for concurrence, entitled "An act to suspend the importation of certain goods, wares, and merchandise," was read the second time.

A motion was made to refer this bill to a committee of five, and, after debate, was withdrawn, and

A second motion for a commitment being made,

It passed in the negative.

On the question to agree to the first section of the bill, as follows:

"Whereas the injuries which have been suffered, and may be suffered, by the Unit-





TUESDAY, APRIL 29, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act providing for raising and organizing a corps of artillerists and engineers," was read the third time

On motion,

That this bill be recommitted;

It passed in the negative.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Burr, from the committee to whom was referred the report of the attorney general, on the memorial of the French inhabitants of Gallipolis, reported a bill for their relief; which was read the first time.

*Ordered*, That this bill pass to the second reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives ask a conference on the amendment adhered to by the Senate to the bill, entitled "An act to encourage the recruiting service," and have appointed managers at the same on their part. And he withdrew.

The Senate took into consideration the resolution of the House of Representatives asking a conference on the amendment adhered to by the Senate, on the last mentioned bill; and

*Resolved*, That they do agree to the proposed conference, and that Messrs. Strong, Ellsworth, and Gunn, be managers thereof on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Foster reported, from the Committee for Enrolled Bills, that they had this day laid before the President of the United States the enrolled bill, entitled "An act allowing lieutenant colonel Tousard an equivalent for his pension for life."

The Senate adjourned until 11 o'clock to-morrow morning.

WEDNESDAY, APRIL 30, 1794.

Mr. Foster reported, from the Committee for Enrolled Bills, that they had examined the bill, entitled "An act providing for raising and organizing a corps of artillerists and engineers," and that it was duly enrolled.

The bill for the relief of the French inhabitants of Gallipolis was read the second time.

*Ordered*, That this bill be referred to Messrs. Brown, Burr, Taylor, King, and Potts, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives that he this day approved and signed "An act allowing lieutenant colonel Tousard an equivalent for his pension for life."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act providing for raising and organizing a corps of artillerists and engineers, and it was delivered to the Committee for Enrolled Bills, to be laid before the President of the United States for his approbation.

The Vice President laid before the Senate a letter from the Secretary for the Department of State, respecting a statement of the spoliations committed on the commerce of the United States; which was read.

*Ordered*, That it lie on the table.

On motion,

The petition of James Mathers, doorkeeper to the Senate, praying for an augmentation of his salary, was considered.

*Ordered*, That it be referred to Messrs. Taylor, Morris, and Cabot, to consider and report thereon to the Senate,

On motion,

*Ordered*, That the petition of George Taylor and others, principal clerks in the several Departments of State, of War, and of Treasury, praying for an augmentation of their salaries, respectively, be referred to the same committee, to consider and report thereon to the Senate.

The Senate adjourned to 11 o'clock to-morrow morning.

THURSDAY, MAY 1, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States,'" in which they desire the concurrence of the Senate. And he withdrew.

This bill was read the first time.

*Ordered,* That this bill pass to the second reading.

Mr. Potts, from the committee to whom was referred the petition of Messrs. Stewart and Plunket, reported a bill for the remission of the duties on eleven hogsheads of coffee which have been destroyed by fire, and the bill was read the first time.

*Ordered,* That this bill pass to the second reading.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 2, 1794.

The bill for the remission of the duties on eleven hogsheads of coffee which have been destroyed by fire, was read the second time.

*Ordered,* That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States,'" was read the second time.

*Ordered,* That the further consideration of this bill be postponed until Monday next.

Mr. Gunn, from the committee to whom was referred the bill, entitled "An act directing a detachment from the militia of the United States," reported an amendment, as follows:

'Sec. 5. And be it further enacted, That this act shall continue in force for the space of one year from the passing thereof, and from thence to the end of the next session of Congress and no longer.'

Which report being adopted, and the bill further amended:

*Ordered,* That this bill pass to the third reading.

Mr. Foster reported, from the committee, that they had examined the enrolled bill, entitled "An act to establish the post-office and post roads within the United States;" and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act to establish the post office and post roads within the United States;" and it was delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Taylor, from the committee to whom was referred the petition of James Mathers, doorkeeper to the Senate, for further compensation, reported a resolution on the subject; and on the petition of George Taylor, and others, clerks in the several departments, reported from the same committee, that their petition lie on the table, the subject thereof being under the consideration of the House of Representatives; and the reports were severally agreed to. Whereupon,

*Resolved,* That the said James Mathers, for extraordinary services as doorkeeper to the Senate, be allowed the sum of one hundred and twenty dollars, to be paid, by the Secretary of the Senate, out of the money appropriated by law to defray the contingent expenses of the two Houses of Congress.

The petition of George Southerland, a soldier of the militia of the State of Kentucky, wounded by the Indians in the year 1790, was presented and read, praying the aid of government, under disability thereby from labor.

*Ordered,* That this petition be referred to the Secretary for the Department of War, to consider and report thereon to the Senate.

On motion,

"That a committee be appointed to consider the expediency, and, if they think proper, to report a bill for authorizing the President of the United States to provide timber of suitable qualities and dimensions, and in sufficient quantities, for the framing and building twenty ships of forty-four guns, and to cause the same to be cured in a manner that may render it the most durable."

*Ordered,* That this motion lie for consideration until Monday next.

Mr. Foster, from the committee, reported that they had this day laid before the President of the United States the enrolled bill, entitled "An act to establish the post-office and post roads within the United States."

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, MAY 5, 1794.

The bill for the remission of the duties on eleven hogheads of coffee which have been destroyed by fire, was read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act for the remission of the duties on eleven hogheads of coffee which have been destroyed by fire."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act directing a detachment from the militia of the United States," was read the third time; and, being further amended,

*Resolved*, That this bill pass with amendments.

*Ordered*, that the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The motion made on the 2d instant, that a quantity of timber be provided for building twenty ships, of forty-four guns each, was considered.

*Ordered*, That it lie for further consideration.

Mr. Livermore, from the committee, to whom was referred the remonstrance of the legislature of New-Hampshire, respecting a decree of the circuit court of the United States, in a cause there pending, between David Stoddard Greenough, and others, libellants, and John Penhallow, and others, respondents, reported—

"That the state of New-Hampshire being a free, sovereign, and independent state, long before the confederation of the United States, made a law for the purpose of privateering against the common enemy, and to establish courts for the legal trial and condemnation of prizes. That, in pursuance of said law, the said brig Lusanna, mentioned in said remonstrance, was captured, tried, and condemned according to law, and distributed by order of court among the captors and owners of the privateer. The committee farther report, that the said brig and her cargo were insured in London against all risque and dangers of the sea, and all American privateers; and that, after the capture and condemnation aforesaid, the owners of said brig Lusanna and cargo were paid for the loss, by the underwriters. And, farther, that the said state of New-Hampshire never gave an appellate jurisdiction in this cause to any foreign court or power whatsoever; and that all interference therein by any other than the courts of New-Hampshire is, in the opinion of the committee, a violation of the freedom, sovereignty, and independence, of said state. All which is humbly submitted."

*Ordered*, That this report lie on the table.

Mr. Monroe notified the Senate, that he should, to-morrow, move for leave to bring in a bill to suspend the execution of the fourth article of the treaty between the United States and Great Britain, until the United States shall be assured of a satisfactory compliance with the articles stipulated in the said treaty, to be performed on the part of Great Britain.

On motion,

It was agreed that the rule be dispensed with at this time, and that Mr. King have leave to introduce a bill prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same; and the bill was read the first time accordingly.

*Ordered*, That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### TUESDAY, MAY 6, 1794.

The bill prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same, was read the second time.

*Ordered*, That this bill be referred to Messrs. Hawkins, King, and Livermore, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act directing a detachment from the militia of the United

ed States." They have passed a "Resolution to authorize the President to grant clearances in the cases of ships or vessels now loaded, and bound to any port beyond the Cape of Good Hope;" in which they desire the concurrence of the Senate. And he withdrew.

The Senate proceeded to the consideration of the resolution last mentioned.

*Resolved*, That this resolution pass with an amendment.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendment to this resolution.

Mr. Strong reported, from the managers at the conference on the disagreeing votes of the two Houses on the bill, entitled "An act to encourage the recruiting service," that the House of Representatives should recede from their disagreement to the amendments of the Senate, and that the following section be inserted in the bill:

"And be it further enacted, That each non-commissioned officer and soldier now in the service of the United States, whose term of enlistment shall not expire before the first day of January next, shall be allowed and paid the sum of four dollars."

And the report was agreed to.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have rejected the report of the managers at the conference on the bill, entitled "An act to encourage the recruiting service," and adhere to their disagreement to the amendment of the Senate to the first section of the said bill. And he withdrew.

The bill was accordingly lost.

On motion,

That a committee be appointed to report to the Senate what part of the trade of the United States may be released from the effect of the present embargo, without interfering with the principle that induced the laying of the same:

*Ordered*, That this motion lie until to-morrow for consideration.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States.'"

*Ordered*, That this bill pass to the third reading.

The motion made the 2d instant, that a quantity of timber be provided for building twenty ships, of forty-four guns each, was further considered.

*Ordered*, That this motion be referred to Messrs. Hawkins, Morris, Langdon, Butler, and Cabot, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives disagree to the amendment of the Senate to the "Resolution to authorize the President of the United States to grant clearances in the cases of ships or vessels now loaded, and bound to any port beyond the Cape of Good Hope." And he withdrew.

The Senate proceeded to consider the resolution of the House of Representatives disagreeing to the amendment of the Senate to the resolution last mentioned.

*Resolved*, That they recede therefrom.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Agreeable to the notice of yesterday, Mr. Monroe requested leave to introduce a bill, providing, under certain limitations, for the suspension of the fourth article of the treaty of peace between the United States and Great Britain; and,

On motion for the previous question, to wit:

Shall the main question be now put?

It passed in the affirmative, { Yeas . . . . . 12  
Nays . . . . . 7

The yeas and nays being required by one-fifth of the Senators present, Those who voted in the affirmative, are, Messrs. Cabot, Ellsworth, Frelinghuysen, Henry, Izard, King, Monroe, Morris, Potts, Ross, Strong, and Taylor.

Those who voted in the negative, are,

Messrs. Bradford, Foster, Hawkins, Jackson, Langdon, Livermore, and Martin.

And on the main question, to wit:

Shall leave be given to bring in the said bill?

It passed in the negative, { Yeas . . . . . 2  
Nays . . . . . 14.

The yeas and nays being required by one-fifth of the Senators present, Those who voted in the affirmative, are,

Messrs. Monroe and Taylor.

Those who voted in the negative, are,



Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Henry, Izard, King, Langdon, Livermore, Morris, Potts, Ross, and Strong.

After consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MAY 7, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act for the remission of the duties on eleven hogsheads of coffee, which have been destroyed by fire." And he withdrew.

On motion, by the Senators of that state,

*Ordered,* That the papers accompanying the remonstrance of the legislature of the state of New Hampshire, against the determination of the circuit court for the district of New Hampshire, held at Exeter on the 24th day of October, 1793, be withdrawn.

Mr. Hawkins, from the committee to whom was referred the bill, prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same, reported amendments, which were read, adopted, and the bill amended accordingly.

*Ordered,* That this bill be engrossed for a third reading.

The motion made yesterday, "That a committee be appointed to report to the Senate what part of the trade of the United States may be released from the effect of the present embargo, without interfering with the principle that induced the laying of the same," was resumed.

*Ordered,* That this motion be referred to Messrs. Butler, Ellsworth, and Bradford, to consider and report thereon to the Senate.

The petition of Oliver and Thompson, and others, merchants of Baltimore town, was presented and read, praying that further time may be allowed for the payment of certain impost duties, about to fall due, for reasons stated in the petition.

*Ordered,* That this petition be referred to the committee last named.

The petition of Oliver and Thompson, merchants of Baltimore town, was presented and read, praying that part of the impost duties on a quantity of Irish linens and Madeira wine, said to be overrated by mistake, may be refunded.

*Ordered,* That this petition be referred to the Secretary for the Department of the Treasury, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States,'" was read the third time; and, being amended,

*Resolved,* That this bill pass with an amendment.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendment to this bill.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act directing a detachment from the militia of the United States;" and the "resolution to authorize the President to grant clearances in the cases of ships or vessels now loaded, and bound to any port beyond the Cape of Good Hope;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, and an enrolled resolution, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill and the enrolled resolution last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

### THURSDAY, MAY 8, 1794.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act for the remission of the duties on eleven hogsheads of coffee which have been destroyed by fire," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives agree to the amendment of the Senate to the bill, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States.'" They have passed the bill, sent from the Senate for concurrence, entitled "An act

to erect a light-house on the head land of Cape Hatteras, and a lighted beacon on Occacock Island, in the state of North Carolina," with amendments; in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act for the remission of the duties on eleven hogsheads of coffee which have been destroyed by fire," and it was delivered to the committee, to be laid before the President of the United States.

Mr. Butler reported, from the committee appointed yesterday, on the motion for freeing a part of the trade of the United States from the operation of the present embargo,

"That, in their opinion, it is not advisable to grant any partial enlargements or permissions for the departure of vessels now embargoed."

*Ordered*, That this report lie on the table.

The Senate proceeded to consider the amendments of the House of Representatives to the bill, entitled "An act to erect a light-house on the head land of Cape Hatteras, and a lighted beacon on Occacock Island, in the state of North Carolina."

*Resolved*, That the Senate concur in the amendments to the said bill.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Foster, from the Committee on Enrolled Bills, reported, that they did yesterday lay the following enrolled bills and enrolled resolution before the President of the United States, to wit: The bill, entitled "An act directing a detachment from the militia of the United States;" the bill, entitled "An act providing for raising and organizing a corps of artillerists and engineers;" and the "resolution to authorize the President to grant clearances in the cases of ships or vessels now loaded, and bound to any port beyond the Cape of Good Hope."

The engrossed bill prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same, was read the third time.

*Resolved*, That this bill pass; that the title thereof be, "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion,

*Ordered*, That Messrs. Strong, Taylor, and Butler, severally, have leave of absence after this week.

On motion, by Mr. Livermore, the rule was dispensed with, and permission given to introduce a bill in addition to "the act for making further and more effectual provision for the protection of the frontiers of the United States," which was read the first time.

*Ordered*, That this bill pass to the second reading.

On motion,

*Ordered*, That Messrs. Livermore, Jackson, and Monroe, be a committee to bring in a bill to alter the time for the next meeting of Congress.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives, that he did on the 7th instant approve and sign a "resolution to authorize the President to grant clearances in the cases of ships or vessels now loaded, and bound to any port beyond the Cape of Good Hope," and that he this day approved and signed "An act to establish the post-office and post roads within the United States." And he withdrew.

Mr. Livermore, from the committee appointed for the purpose, reported a bill to alter the time for the next meeting of Congress, which was read the first time.

*Ordered*, That the rule be so far dispensed with, as that this bill be now read the second time.

*Ordered*, That this bill be engrossed for the third reading.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act supplementary to 'An act to provide for the defence of certain ports and harbors in the United States,'" and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the bill last reported to have been examined, and it was delivered to the committee to be laid before the President of the United States.

The Vice President laid before the Senate a letter from Samuel Meredith, Treasurer of the United States, with his account for the two quarters, closing the 31st of December, 1793, as also his War Department account ending the 31st of March last.

The letter was read

*Ordered*, That the letter and papers therein referred to lie on the table.

The Senate adjourned to 11 o'clock to-morrow morning.

### FRIDAY, MAY 9, 1794.

The bill in addition to the act making further and more effectual provision for the protection of the frontiers of the United States, was read the second time.

On motion to add the following as an additional section to the bill, to wit:

“And be it further enacted, That there shall be allowed and paid, from and after the first day of June next, to each private soldier now in service, or hereafter to be enlisted, the additional pay of one dollar per month, during the term of their respective enlistment:”

It passed in the negative, { Yeas . . . . . 7  
Nays . . . . . 16.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Edwards, Henry, Jackson, Livermore, Morris, Potts, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Burr, Butler, Ellworth, Foster, Frelinghuysen, Gunn, Hawkins, Izard, King, Langdon, Martin, Monroe, Strong, and Taylor.

On motion to strike out the following words from the third section of the bill, to wit:

“And under such special circumstances as in the opinion of the President of the United States may require an augmentation of some parts of their rations, the President be authorized to direct such augmentation as he may judge necessary, not exceeding:”

It passed in the negative, { Yeas . . . . . 9  
Nays . . . . . 11.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Burr, Cabot, Edwards, Hawkins, Jackson, Martin, Monroe, Potts, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Ellsworth, Foster, Gunn, Izard, King, Langdon, Livermore, Morris, and Strong.

*Ordered*, That this bill be engrossed for a third reading.

Mr. Foster reported, from the Committee on Enrolled Bills, that they did yesterday lay before the President of the United States the following enrolled bills, to wit: the bill, entitled “An act for the remission of the duties on eleven hogsheads of coffee which have been destroyed by fire;” and a bill, entitled “An act supplementary to ‘An act to provide for the defence of certain ports and harbors in the United States;’” and they had this day examined the bill, entitled “An act to erect a light house on the head land of Cape Hatteras, and a lighted beacon on Shell Castle Island in the harbor of Occacock, in the State of North Carolina,” and that it was duly enrolled.

A message from the House of Representatives, by Mr. Buckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives that he this day approved and signed the following acts: “An act providing for raising and organizing a corps of artillerists and engineers;” “An act supplementary to ‘An act to provide for the defence of certain ports and harbors in the United States;’” and “An act directing a detachment from the militia of the United States.” And he withdrew.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed “An act for the remission of the duties on eleven hogsheads of coffee, which have been destroyed by fire.”

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The engrossed bill to alter the time for the next meeting of Congress was read the third time.

On motion,

To strike out the words, 'first Monday in November next,' and insert, 'second Monday in November next.'

It passed in the negative.

On motion, that this bill pass as engrossed,

It passed in the negative.

Mr. Brown, from the committee to whom was referred the bill for the relief of the French inhabitants of Galliopolis, reported the following order:

"That Rufus Putnam, Manassah Cutler, Robert Oliver, and Griffin Green, do appear before the Senate on the — day of December next, to shew cause, if any they have, why so much of a grant and deed of conveyance for seven hundred and fifty thousand acres of land, bordering on the Ohio river, executed by the President of the United States, to the said Putnam, &c. in trust for the Ohio company of associates, pursuant to an act, entitled 'An act authorizing the grant and conveyance of certain lands to the Ohio company of associates,' shall not be declared void, as may be sufficient to satisfy the claims of the French settlers at Galliopolis."

*Ordered*, That the delivery of a copy of the above order to Rufus Putnam, Manassah Cutler, Robert Oliver, or Griffin Green, and the publication of the same one week in one of the gazettes printed in this city, shall be deemed sufficient notice thereof.

*Ordered*, That this report lie for consideration.

After the consideration of the Executive business,

The Senate adjourned until 11 o'clock on Monday morning.

### MONDAY, MAY 12, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account;" in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the Vice President. And he withdrew.

The bill last brought up for concurrence was read.

On motion,

*Ordered*, That the rule be so far dispensed with as that this bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Ellsworth, Frelinghuysen, and Ross, to consider and report thereon to the Senate.

The Vice President signed the enrolled bill, entitled "An act to erect a light-house on the head land of Cape Hatteras, and a lighted beacon on Shell Castle Island, in the harbor of Occacock, in the state of North Carolina," and it was delivered to the Committee, to be laid before the President of the United States.

On motion,

*Ordered*, That the rule be dispensed with, and that Mr. Ellsworth have permission to bring in a bill to authorize district judges to adjourn circuit courts; which was read the first time.

On motion,

*Ordered*, That the rule be dispensed with, and that this bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Ellsworth, Frelinghuysen, and Ross, to consider and report thereon to the Senate.

A message in writing was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

As the letter, which I forwarded to Congress on the 15th day of April last, from the minister plenipotentiary of his Britannic Majesty to the Secretary of State, in answer to a memorial of our minister in London, related to a very interesting subject, I thought it proper not to delay its communication. But, since that time, the memorial itself has been received, in a letter from our minister, and a reply has been made to that answer by the Secretary of State. Copies of them are, therefore, now transmitted.

I also send the copy of a letter from the governor of Rhode Island, enclosing an act of the legislature of that state, empowering the United States to hold lands within



**G. WASHINGTON.**

That the memorial of Mr. Pinckney, the answer of Mr. Hammond, and the letter of the Secretary of State of the 1st of May to Mr. Hammond, relative to the British instructions of the 8th June last, be printed for the use of the members of the Senate.



After the consideration of the Executive business,  
The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, MAY 13, 1794.**

The Senate proceeded to consider the report of the committee, to whom was referred the bill for the relief of the French inhabitants of Galliopolis; and the report being amended, was agreed to, and it was accordingly,

*Ordered*, That Rufus Putnam, Manassah Cutler, Robert Oliver, and Griffin Green, do, upon the third Monday of December next, shew cause to the Senate why so much of the grants of land to them the said Rufus Putnam, Manassah Cutler, Robert Oliver, and Griffin Green, pursuant to an act, entitled "An act authorizing the grant and conveyance of certain lands to the Ohio Company of associates," shall not be declared void, as may interfere with, and be sufficient to satisfy the claims of the French settlers of Galliopolis.

*Ordered*, That the delivery of a copy of the above order to Rufus Putnam, Manassah Cutler, Robert Oliver, or Griffin Green, and the publication of the same, one month, in one of the Gazettes printed in this city, shall be deemed sufficient notice thereof.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed "An act to erect a light house on the head land of Cape Hatteras, and a lighted beacon on Shell Castle Island in the harbor of Occacock, in the State of North Carolina."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act for the relief of Reuben Smith and Nathan Strong," in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read the first time.

*Ordered*, That this bill pass to the second reading.

The petition of Dennis M'Ready and others, in behalf of the manufacturers of tobacco and snuff, against an additional tax on those articles, was presented and read.

*Ordered*, That this petition lie on the table.

Mr. Ellsworth, from the committee to whom was referred the bill to authorize district judges to adjourn circuit courts, reported the bill amended, and the report being agreed to, and the bill amended accordingly,

*Ordered*, That the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act further to authorize the adjournment of circuit courts."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

**WEDNESDAY, MAY 14, 1794.**

Mr. Ellsworth, from the committee to whom was referred the bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account," reported amendments, which were adopted, and the bill was amended accordingly.

*Ordered*, That the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act further to authorize the adjournment of circuit courts." And he withdrew.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Reuben Smith and Nathan Strong," was read the second time.

*Ordered*, That this bill pass to the third reading.

Mr. Cabot, from the committee to whom was referred the bill, entitled "An act for erecting a light house on the island of Seguin in the district of Maine," reported amendments, which were adopted, and the bill was amended accordingly.

*Ordered*, That the rule be dispensed with, and this bill be now read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A motion was made that the next session of Congress be held at Boston.

*Ordered*, That this motion lie for consideration.

The Senate adjourned until 11 o'clock to-morrow morning.

#### THURSDAY, MAY 15, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith on public account;" also, to the amendments of the Senate to the bill, entitled "An act for erecting a light-house on the Island of Seguin, in the district of Maine." And he withdrew.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the following enrolled bills: the bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith on public account;" the bill, entitled "An act for erecting a light-house on the island of Seguin, in the district of Maine, and for erecting a beacon and placing three buoys at the entrance of St. Mary's river in the state of Georgia;" also, the bill, entitled "An act further to authorize the adjournment of circuit courts;" and that they were duly enrolled.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Reuben Smith and Nathan Strong," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Ellsworth, from the committee to whom was referred certain resolutions moved for, the 15th of April last, by the Senators of Kentucky, relating to the navigation of the Mississippi, and the negotiation at the court of Spain, reported—

"That, in the negotiation now carrying on at Madrid between the United States and Spain, the right of the former to the free navigation of the Mississippi is well asserted and demonstrated, and their claim to its enjoyment is pursued with all the assiduity and firmness which the magnitude of the subject demands, and will doubtless continue to be so pursued until the object shall be obtained, or adverse circumstances shall render the further progress of the negotiation impracticable. That, in the present state of the business, it would be improper for Congress to interfere. But, in order to satisfy the citizens of the United States more immediately interested in the event of this negotiation, that the United States have uniformly asserted their right to the free use of the navigation of the river Mississippi, and have employed and will continue to pursue, such measures as are best adapted to obtain the enjoyment of this important territorial right, the committee recommend that it be resolved by the Senate,

"That the President of the United States be, and he hereby is, requested to cause to be communicated to the Executive of the state of Kentucky such part of the existing negotiation between the United States and Spain, relative to this subject, as he may deem advisable and consistent with the course of negotiations."

And the report was adopted.

*Ordered*, That the Secretary lay a copy of this proceeding before the President of the United States.

The Senate adjourned to 11 o'clock to-morrow morning.

#### FRIDAY, MAY 16, 1794.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act for the relief of Reuben Smith and Nathan Strong," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have appointed a committee to join such committee as the Senate shall appoint, to report what business is necessary to be

done before the close of the session, and when it will be proper to end the present session; and request the appointment of a committee on the part of the Senate.

They have passed a bill, entitled "An act making provision for the payment of the interest on the balances due to certain states upon a final settlement of the accounts between the United States and the individual states," in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed sundry enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The bill last brought from the House of Representatives for concurrence was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate proceeded to the consideration of the resolution last sent from the House of Representatives, for the appointment of a joint committee; and

*Resolved*, That they do concur therein, and that Messrs. King, Ellsworth, and Hawkins, be the committee on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The Vice President signed the following enrolled bills, to wit: The bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account;" the bill, entitled "An act further to authorize the adjournment of circuit courts;" the bill, entitled "An act for erecting a light-house on the Island of Seguin, in the district of Maine, and for erecting a beacon and placing three buoys at the entrance of St. Mary's river, in the state of Georgia;" and the bill, entitled "An act for the relief of Reuben Smith, and Nathan Strong;" and they were delivered to the Committee on Enrolled Bills, to be laid before the President of the United States.

The petition of Moses Brown and others, merchants of the state of Massachusetts, praying that further time may be allowed than the law provides, to enable them to recover the drawback on certain foreign goods intended for exportation, for reasons stated in the petition.

*Ordered*, That this petition, together with the petition of Oliver and Thompson and others, merchants of the state of Maryland, on a similar subject, be referred to Messrs. Cabot, Ellsworth, and Hawkins, to consider and report thereon to the Senate.

On motion,

*Ordered*, That Mr. Langdon have leave of absence after Monday next.

The Senate adjourned until 11 o'clock on Monday morning.

#### MONDAY, MAY 19, 1794.

The Vice President laid before the Senate a letter from P. Legaux, praying their patronage of his vineyard, established at a place called Springmill, in the state of Pennsylvania, which was read.

*Ordered*, That it lie on the table.

Mr. Vining reported, from the Committee on Enrolled Bills, that they did, on the 16th instant, lay the following bills before the President of the United States, to wit: The bill, entitled "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account;" the bill, entitled "An act further to authorize the adjournment of circuit courts;" the bill, entitled "An act for erecting a light-house on the Island of Seguin, in the district of Maine, and for erecting a beacon and placing three buoys at the entrance of St. Mary's river, in the state of Georgia;" and the bill, entitled "An act for the relief of Reuben Smith and Nathan Strong."

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same."

They have passed a bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels;" in which they desire the concurrence of the Senate. And he withdrew.

The bill last brought up for concurrence was read.

*Ordered*, That this bill pass to the second reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States and the individual states," was read the second time.

*Ordered*, That this bill be referred to Messrs. Cabot, Jackson, Morris, Potts, and Ellsworth, to consider and report thereon to the Senate.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act further to authorize the adjournment of circuit courts."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Jackson gave notice that he should to-morrow move for leave to introduce a bill to authorize the President of the United States, during the recess of the present Congress, if he shall think the same necessary, to cause to be purchased, or built, a number of vessels, to be equipped as galleys in the service of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives, that he this day approved and signed "An act providing for the payment of certain expenses incurred by Fulwar Skipwith, on public account;" "An act for erecting a light-house on the Island of Seguin, in the district of Maine, and for erecting a beacon and placing three buoys at the entrance of St. Mary's river, in the state of Georgia;" and "An act for the relief of Reuben Smith and Nathan Strong." And he withdrew.

On motion,

*Ordered*, That Mr. Edwards have leave of absence after Wednesday next.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

## TUESDAY, MAY 20, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a resolution for furnishing the Executives of the several states with a copy of the book marked A, deposited in the Treasury Department by the commissioners who settled the accounts between the individual states and the United States, in which they desire the concurrence of the Senate. And he withdrew.

The resolution of the House of Representatives was read.

*Ordered*, That this resolution lie on the table.

Mr. King reported, from the joint committee to whom was referred the consideration of what business is necessary to be done before the close of the session, and when it will be proper to end the present session; and the report was read.

*Ordered*, That this report lie on the table.

The bill, sent from the House of Representatives for concurrence, entitled "An act laying additional duties on goods, wares, and merchandize, imported into the United States, and on the tonnage of ships or vessels," was read the second time.

*Ordered*, That this bill be referred to Messrs. Gunn, Ellsworth, King, Livermore, and Morris, to consider and report thereon to the Senate.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

In the communications which I have made to Congress, during the present session, relative to foreign nations, I have omitted no opportunity of testifying my anxiety to preserve the United States in peace. It is peculiarly, therefore, my duty, at this time, to lay before you the present state of certain hostile threats against the territories of Spain in our neighborhood.

The documents which accompany this message develop the measures which I have taken to suppress them, and the intelligence which has been lately received.

It will be seen from thence, that the subject has not been neglected; that every power vested in the Executive on such occasions has been exerted; and that there was reason to believe that the enterprise projected against the Spanish dominions was relinquished.

But it appears to have been revived upon principles which set public order at defiance, and place the peace of the United States in the discretion of unauthorized individuals. The means already deposited in the different departments of government are shewn, by experience, not to be adequate to these high exigencies, although such of them as are lodged in the hands of the Executive shall continue to be used with promptness, energy, and decision, proportioned to the case. But I am impelled, by the position of our public affairs, to recommend that provision be made for a stronger



and more vigorous opposition than can be given to such hostile movements under the laws as they now stand.

G. WASHINGTON.

*United States, May 20, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

Mr. Cabot, from the committee to whom was referred the bill, entitled "An act making provision for the payment of the interest on the balances due to certain states upon a final settlement of the accounts between the United States and the individual states," reported an additional section; and the report was read.

*Ordered*, That it lie for consideration.

Agreeable to notice, Mr. Jackson obtained permission to introduce a bill to authorize the President of the United States, during the recess of the present Congress, if he shall think the same necessary, to cause to be purchased or built a number of vessels, to be equipped as galleys in the service of the United States; and the bill was accordingly read the first time.

*Ordered*, That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### WEDNESDAY, MAY 21, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same," and that it was duly enrolled.

The Vice President laid before the Senate a letter from the Secretary for the Department of State, with an abstract of the vexations and spoliations on the commerce of the United States.

The letter was read.

*Ordered*, That the letter, and abstract therein referred to, lie for consideration.

Mr. Cabot, from the committee to whom was referred, on the 16th instant, the petition of Moses Brown and others, reported a bill for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes; which was read the first time.

*Ordered*, That this bill pass to the second reading.

The Senate proceeded to consider the resolution, sent from the House of Representatives for concurrence, for furnishing the Executives of the several states with a copy of the book marked A, deposited in the Treasury Department by the commissioners who settled the accounts between the individual states and the United States; and,

On motion to refer the resolution to a committee to consider and report thereon:

It passed in the negative,    { Yeas . . . . . 9  
   { Nays . . . . . 11.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Foster, Hawkins, Martin, Monroe, Potts, Robinson, Ross, and Vining.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Frelinghuysen, Gunn, Henry, Jackson, Izard, Livermore, Morris, and Rutherford.

On motion,

It was agreed to postpone the further consideration of this resolution.

The bill to authorize the President of the United States, during the recess of the present Congress, if he shall think the same necessary, to cause to be built or purchased a number of vessels to be equipped as galleys in the service of the United States, was read the second time.

*Ordered*, That this bill be referred to Messrs Jackson, Rutherford, and Cabot, to consider and report thereon to the Senate.

Mr. Gunn, from the committee to whom was referred the bill, entitled "An act laying additional duties on goods, wares, and merchandisé, imported into the United States, and on the tonnage of ships or vessels," reported amendments, which were read.

*Ordered*, That the consideration thereof be postponed.



The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate  
and of the House of Representatives:*

I lay before you, in confidence, sundry papers, by which you will perceive the state of affairs between us and the Six Nations, and the probable cause to which it is owing; and also certain information, whereby it would appear that some encroachment was about to be made on our territory by an officer and party of British troops. Proceeding upon a supposition of the authenticity of this information, although of a private nature, I have caused the representation to be made to the British minister, a copy of which accompanies this message.

It cannot be necessary to comment upon the very serious nature of such an encroachment, nor to urge that this new state of things suggests the propriety of placing the United States in a posture of effectual preparation for an event, which, notwithstanding the endeavors making to avert it, may, by circumstances beyond our control, be forced upon us.

G. WASHINGTON.

*United States, May 21, 1794.*

The message and papers therein referred to were read.

*Ordered,* That they lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives do not concur in the bill sent from the Senate, entitled "An act to make provision for the widow and orphan children of Robert Forsyth, who was killed in the service of the United States."

They have passed the following bills and resolve, in which several bills and resolve they desire the concurrence of the Senate: the bill entitled "An act to compensate Arthur St. Clair," the bill, entitled "An act to authorize the settlement of the account of Lewis Dubois, for his services in the late army of the United States;" the bill, entitled "An act to alter the time for the next annual meeting of Congress;" and a resolve that Congress adjourn on the third day of June next.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same;" and it was delivered to the committee, to be laid before the President of the United States.

The bill, sent from the House of Representatives for concurrence, entitled "An act to compensate Arthur St. Clair," was read the first time.

*Ordered,* That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act to authorize the settlement of the account of Lewis Dubois, for his services in the late army of the United States," was read the first time.

*Ordered,* That this bill pass to the second reading.

The bill sent from the House of Representatives for concurrence, entitled "An act to alter the time for the next annual meeting of Congress," was read the first time.

*Ordered,* That this bill pass to the second reading.

The resolve, sent from the House of Representatives for concurrence, that Congress adjourn on the third day of June next, was read.

*Ordered,* That it lie on the table.

The Senate adjourned until 11 o'clock to-morrow morning.

THURSDAY, MAY 22, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they did yesterday lay before the President of the United States the bill, entitled "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same."

On motion,

*Ordered,* That Messrs. Ellsworth, Livermore, and Monroe, be a committee to report a bill to authorize a settlement of the accounts of loan officers for clerk hire and stationery.

On motion,

*Ordered,* That the same committee be instructed to bring in a bill to provide for

mitigating or remitting fines, penalties, and forfeitures, incurred under the revenue laws in cases not now provided for;

That the same committee be instructed to bring in a bill further to extend the time for receiving on loan the domestic debt of the United States; and

That the same committee be also instructed to bring in a bill to continue in force the "Act for the relief of persons imprisoned for debt."

On motion,

*Ordered*, That the committee on the petition of George Taylor and others be enjoined to report.

On motion,

*Ordered*, That the committee on the message of the President of the United States, of the 19th of February last, respecting the judiciary, be enjoined to report.

The bill, sent from the House of Representatives for concurrence, entitled "An act to compensate Arthur St. Clair," was read the second time.

*Ordered*, That this bill be referred to Messrs. Brown, Gunn, and Vining, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the settlement of the account of Lewis Dubois, for his services in the late army of the United States," was read the second time.

*Ordered*, That this bill be referred to the committee last appointed, to consider and report thereon to the Senate.

The Senate proceeded to consider the amendments reported by the committee to the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels;" which were adopted, and the bill was amended accordingly.

*Ordered*, That this bill pass to the third reading.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed "An act prohibiting, for a limited time, the exportation of arms and ammunition, and encouraging the importation of the same."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The Vice President laid before the Senate a report of the Secretary for the Department of War, on twenty-three additional claims for compensation to invalid pensioners; which were read.

*Ordered*, That the report lie for consideration.

The bill, for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes, was read a second time; and, being amended,

*Ordered*, That this bill be engrossed for a third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act to alter the time for the next annual meeting of Congress," was read the second time.

*Ordered*, That this bill pass to the third reading.

The Senate resumed the consideration of the resolve, sent from the House of Representatives for concurrence, that Congress adjourn on the third day of June next; and

*Resolved*, That they do concur therein.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this resolution.

The Senate resumed the consideration of the resolve, sent from the House of Representatives for concurrence, "for furnishing the Executives of the several states with a copy of the book marked A, deposited in the Treasury Department by the commissioners who settled the accounts between the individual states and the United States."

On motion,

It was agreed to amend the resolve, by inserting 'at their own expense,' after the words 'several states.'

On motion to concur in the resolution as amended,

It passed in the negative, { Yeas . . . . . 5  
                                      { Nays . . . . . 15.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Hawkins, Martin, Monroe, Ross, and Vining.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, Jackson, Izard, Livermore, Morris Potts, Robinson, and Rutherford.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this resolution.

The Senate adjourned to 11 o'clock to-morrow morning.

FRIDAY, MAY 23, 1794.

Mr. Ellsworth, from the committee appointed yesterday for the purpose, reported the three following bills: A bill to continue in force the act for the relief of persons imprisoned for debt; a bill further extending the time for receiving on loan the domestic debt of the United States; and a bill authorizing a settlement of certain expenses of the commissioners of loans; which bills were severally read the first time.

*Ordered*, That these bills severally pass to the second reading.

The engrossed bill, for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes, was read the third time.

On motion,

*Ordered*, That this bill lie for further consideration.

Mr. Jackson, from the committee to whom was referred the bill to authorize the President of the United States, during the recess of the present Congress, if he shall think the same necessary, to cause to be built or purchased a number of vessels to be equipped as galleys in the service of the United States, reported amendments; which were read.

The bill, sent from the House of Representatives for concurrence, entitled "An act to alter the time for the next annual meeting of Congress," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The amendments reported on the bill to authorize the President of the United States, during the recess of the present Congress, to cause to be purchased or built a number of vessels, to be equipped as galleys in the service of the United States, were resumed.

On motion to adopt the first section, amended as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized, during the recess of the present Congress, if the same shall appear to him necessary for the protection of the United States, to cause a number of vessels to be built or purchased, and to be fitted out, manned, armed, and equipped, as galleys in the service of the United States; the officers and men to be on the same pay, and to receive the same subsistence, as officers of the same rank and men are entitled to in the navy of the United States:"

It passed in the affirmative, { Yeas . . . . . 10  
  { Nays . . . . . 9.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Cabot, Frelinghuysen, Gunn, Henry, Jackson, Izard, Monroe, Morris, Potts, and Rutherford.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Ellsworth, Foster, Hawkins, Livermore, Martin, Robinson, and Ross.

On motion to adopt the following additional clause to the bill:

"And be it further enacted, That there be appropriated, for the purpose aforesaid, the sum of one hundred and fifty thousand dollars, to be paid out of the proceeds of any revenues of the United States, which now are, or hereafter, during the present session, shall be, provided, not being otherwise appropriated. And that the President of the United States be authorized to take on loan of the Bank of the United States, or of any other body politic or corporate, person or persons, the said sum of one hundred and fifty thousand dollars, to be reimbursed, principal and interest, out of the said proceeds, appropriated as aforesaid, according to such contract or contracts which shall be made concerning the same:"

It passed in the affirmative, { Yeas . . . . . 11  
  { Nays . . . . . 8.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Cabot, Frelinghuysen, Gunn, Henry, Jackson, Izard, Monroe, Morris, Potts, Robinson, and Rutherford.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Ellsworth, Foster, Hawkins, Livermore, Martin, and Ross.

And, after agreeing to further amendments,

*Ordered*, That this bill be engrossed for a third reading,

A message in writing was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I lay before you the copy of a letter from the minister plenipotentiary of his Britannic Majesty, in answer to a letter from the Secretary of State, communicated to Congress yesterday; and also the copy of a letter from the Secretary, which is referred to in the above mentioned letter of the minister.

G. WASHINGTON.

*United States, May 23, 1794.*

The message and papers were read.

*Ordered*, That the message and papers therein referred to, together with the communications referred to in the message of the President of the United States of the 21st instant, be printed for the use of the Senate.

The Vice President laid before the Senate a letter signed Arthur St. Clair, respecting the loss of certain horses in the public service.

*Ordered*, That this letter be referred to the committee to whom was yesterday referred the bill, entitled "An act to compensate Arthur St. Clair."

On request,

*Ordered*, That the Vice President be excused from attendance in Senate, after Friday next.

The bill sent from the House of Representatives for concurrence, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," was read the third time.

A motion was made to restore the fourth section, amended as follows:

"And be it further enacted, That, upon all ships or vessels of the United States, there shall be levied and paid, after the last day of June next, a duty of six cents per ton, in addition to the duty now chargeable by law, and upon all ships or vessels, belonging wholly or in part to the subjects or citizens of any foreign power, which, after the said last day of June next, shall be entered in the United States, from any foreign port or place, there shall be levied and paid a duty of twenty-five cents per ton, in addition to the duty now chargeable by law."

And, on motion,

It was agreed, that the further consideration of this bill, at this time, be postponed. The Senate adjourned to 11 o'clock to-morrow morning.

SATURDAY, MAY 24, 1794.

The bill, further extending the time for receiving, on loan, the domestic debt of the United States, was read the second time.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act further extending the time for receiving, on loan, the domestic debt of the United States."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, authorizing a settlement of certain expenses of the commissioners of loans, was read the second time.

*Ordered*, That this bill be engrossed for a third reading.

The bill, to continue in force "the act for the relief of persons imprisoned for debt," was read the second time.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act to continue in force 'the act for the relief of persons imprisoned for debt.'"

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.



A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act for determining the northern boundary of the territory ceded to the United States by the state of North Carolina;" and a bill, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas;" in which several bills they desire the concurrence of the Senate. And he withdrew.

The bills last mentioned were severally read.

*Ordered,* That these bills severally pass to the second reading.

On motion, that the engrossed bill to authorize the President of the United States, during the recess of the present Congress, if he shall think the same necessary, to cause to be built, or purchased, a number of vessels, to be equipped as galleys, in the service of the United States, be read the third time:

A motion was made to postpone the third reading of the bill at this time, for the purpose of taking into consideration the following motion:

"That a committee of five be appointed to consider and report what other measures are necessary to be adopted, during the present session, for the defence of the United States, together with a bill or bills for carrying the same into effect;"

Which passed in the negative. Whereupon,

The bill was read the third time.

*Resolved,* That this bill pass; and that the title thereof be "An act to authorize the President of the United States, during the recess of the present Congress, to cause to be purchased or built a number of vessels to be equipped as galleys in the service of the United States."

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion,

*Ordered,* That Messrs. Potts, Ellsworth, Izard, Monroe, and Cabot, be a committee to consider and report what other measures are necessary to be adopted, during the present session, for the defence of the United States, together with a bill or bills for carrying the same into effect.

Mr. Cabot, from the committee to whom was referred the petition of George Taylor and others, principal clerks in the several departments, reported a bill, allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the year one thousand seven hundred and ninety-four; which bill was read.

*Ordered,* That this bill pass to the second reading.

The third reading of the bill, for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes, was resumed.

*Resolved,* That this bill pass; and that the title thereof be "An act for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes."

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this bill.

The Senate adjourned until 11 o'clock on Monday morning.

### MONDAY, MAY 26, 1794.

Mr. Vining, from the Committee on Enrolled Bills, reported, that they had examined the bill, entitled "An act to alter the time for the next annual meeting of Congress;" and that it was duly enrolled.

The bill, sent from the House of Representatives for concurrence, entitled "An act for determining the northern boundary of the territory ceded to the United States by the state of North Carolina," was read the second time.

*Ordered,* That this bill be referred to Messrs. Rutherford, Hawkins, and Brown, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the two following bills, sent from the Senate for concurrence: the bill, entitled "An act to continue in force the act for the relief of persons imprisoned for debt;" and the bill, entitled "An act further extending the time for receiving on loan the domestic debt of the United States." They have passed a bill, entitled "An act laying certain duties upon snuff and refined sugar," in which they desire the concurrence of the Senate. The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the Vice President. And he withdrew.



The Vice President signed the enrolled bill, entitled "An act to alter the time for the next annual meeting of Congress;" and it was delivered to the committee, to be laid before the President of the United States, for his approbation.

The bill, sent from the House of Representatives for concurrence, entitled "An act laying certain duties upon snuff and refined sugar," was read the first time.

*Ordered*, That this bill pass to the second reading.

The engrossed bill authorizing a settlement of certain expenses of the commissioners of loans, was read the third time.

*Resolved*, That this bill pass; and that the title thereof be "An act authorizing a settlement of certain expenses of the commissioners of loans."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the year one thousand seven hundred and ninety-four, was read the second time.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass; that it be engrossed; and that the title thereof be, "An act allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the year one thousand seven hundred and ninety-four."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

Mr. Potts, from the committee appointed for the purpose, reported a bill to increase the military force of the United States, and to encourage the recruiting service, which was read.

*Ordered*, That this bill pass to the second reading.

The Senate resumed the consideration of the amendment reported by the committee, to whom was referred the bill, entitled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States and the individual states."

On motion,

That the amendment be adopted,

It passed in the negative,  $\left\{ \begin{array}{l} \text{Yeas . . . . . 9} \\ \text{Nays . . . . . 11.} \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Gunn, Jackson, Monroe, Morris, Potts, Robinson, Ross, and Rutherford.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Hawkins, Henry, Izard, King, Livermore, Martin, and Vining.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate*

*and of the House of Representatives:*

The commissioners of his catholic majesty having communicated to the Secretary of State the form of a certificate, without which the vessels of the United States cannot be admitted into the ports of Spain, I think it proper to lay it before Congress.

G. WASHINGTON.

*United States, May 26, 1794.*

The Senate adjourned to 11 o'clock to-morrow morning.

TUESDAY, MAY 27, 1794.

Mr. Ellsworth, from the committee to whom was referred the message of the President of the United States, of the 19th February last, with a representation from the justices of the supreme court, reported that the further consideration thereof be postponed to the next session of Congress.

And the report was adopted.

The message yesterday received from the President of the United States, transmitting the form of a certificate, without which the vessels of the United States cannot

be admitted into the ports of Spain, together with the form of the certificate therein referred to, were read.

*Ordered*, That they lie for consideration.

The Senate resumed the second reading of the bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States and the individual states."

On motion to recommit the bill, with instructions to the committee to report an amendment for carrying into effect an assumption of the domestic debts of the creditor states, to the amount of the balances reported to be due to them:

It passed in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 5 \\ \text{Nays} \dots\dots\dots 13. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Jackson, Potts, Robinson, Ross, and Rutherford.

Those who voted in the negative, are,

Messrs. Bradford, Brown, Cabot, Ellsworth, Foster, Frelinghuysen, Hawkins, Henry, Izard, King, Livermore, Martin, and Morris.

On motion to strike out the first section of the bill, to wit:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That interest upon the balances reported to be due to certain states, by the commissioners for settling accounts between the United States and individual states, be allowed, from the last day of December, one thousand seven hundred and eighty-nine, and to be computed to the last day of December, one thousand seven hundred and ninety-four, at the rate of four per centum per annum; and that the amount of such interest be placed to the credit of the state, to which the same shall be found due upon the books of the Treasury of the United States, and shall bear an interest of three per centum per annum, from and after the said last day of December, one thousand seven hundred and ninety-four:"

It passed in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 9 \\ \text{Nays} \dots\dots\dots 11. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Gunn, Hawkins, Jackson, Martin, Potts, Robinson, Ross, and Rutherford.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Henry, Izard, King, Livermore, Morris, and Vining.

*Ordered*, That this bill pass to the third reading.

The bill, sent from the House of Representatives for concurrence, entitled, "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," was read the second time.

*Ordered*, That this bill be referred to Messrs. Gunn, Ellsworth, Potts, Cabot, and King, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to amend the act, entitled "An act to enable the officers and soldiers of the Virginia line on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota," in which they desire the concurrence of the Senate. And he withdrew.

The bill was read.

*Ordered*, That this bill pass to the second reading.

The Vice President laid before the Senate a memorial signed Thomas Leiper, and Gavin Hamilton, "manufacturers of snuff in the city of Philadelphia, on behalf of themselves and their brethren throughout the Union," remonstrating against the imposition of an excise upon the said article; which was read.

*Ordered*, That this memorial lie on the table.

The bill to increase the military force of the United States, and to encourage the recruiting service, was read the second time, and considered.

On motion,

*Ordered*, That the further consideration thereof be postponed until to-morrow.

Mr. Brown, from the committee to whom was referred the bill, entitled "An act to compensate Arthur St. Clair," reported amendments, which were read, and in part agreed to, and the bill was amended accordingly.

*Ordered*, That this bill pass to the third reading.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act further extending the time for receiving on loan the domestic debt of the United States," and the bill, entitled "An act to continue in force the act for the relief of persons imprisoned for debt," and that they were duly enrolled.

After the consideration of the Executive business,

The Senate adjourned until 11 o'clock to-morrow morning.

### WEDNESDAY, MAY 28, 1794.

The bill, sent from the House of Representatives for concurrence, entitled "An act to compensate Arthur St. Clair," was read the third time.

On motion,

It was agreed to re-consider the amendments made to this bill, in the second reading.

*Resolved*, That this bill pass without amendment.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota,'" was read the second time.

*Ordered*, That this bill be referred to Messrs. Jackson, Rutherford, and Brown, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bill, entitled "An act further extending the time for receiving on loan the domestic debt of the United States;" also, the enrolled bill, entitled "An act to continue in force the act for the relief of persons imprisoned for debt," and they were delivered to the committee, to be laid before the President of the United States for his approbation.

The Senate resumed the second reading of the bill to increase the military force of the United States, and to encourage the recruiting service.

On motion to expunge the first section of the bill, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall be, and he is hereby, authorized, during the next recess of Congress, to raise and equip such additional military force as circumstances shall in his judgment render necessary, not exceeding ten thousand non-commissioned officers, musicians, and privates, to serve for three years, unless sooner discharged, together with a proper proportion of commissioned officers, of all the grades, respectively, according to the present military establishment of the United States:"

It passed in the negative,     $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 8 \\ \text{Nays} \dots\dots\dots 12. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Foster, Hawkins, Jackson, Livermore, Martin, Robinson, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Frelinghuysen, Gunn, Henry, Izard, King, Morris, Potts, Rutherford, and Vining.

*Ordered*, That this bill be engrossed for a third reading.

The bill, sent from the House of Representatives for concurrence, entitled "An act making provision for the payment of the interest on the balances due to certain states upon a final settlement of the accounts between the United States and the individual states," was read the third time.

On motion,

To postpone the further consideration thereof to the next session of Congress:

It passed in the negative,     $\left\{ \begin{array}{l} \text{Yeas} \dots\dots\dots 8 \\ \text{Nays} \dots\dots\dots 12. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Gunn, Hawkins, Jackson, Martin, Potts, Robinson, and Ross.

Those who voted in the negative, are,  
Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Henry, Izard, King, Livermore, Morris, Rutherford, and Vining.

On motion to strike out the first section of the bill:

It passed in the negative.

On motion to adopt the following as an additional section to the bill, to wit:

"And be it further enacted, That when the legislature of any creditor state shall have passed an act declaring that the creditors of such state, or so many of them as may apply, shall be allowed a proportion of the debt due to such state, in lieu of their respective demands, then the commissioner of loans of such state shall be authorized to receive such of the notes or certificates of the said state as may be designated by an act of the legislature thereof, and on the terms therein prescribed, and to give certificates therefor in the manner directed in such act; and the said certificates shall be transferrable, and the interest which shall become due shall be payable quarter yearly, in the same manner as on the other certificates of the United States. Provided, That the commissioners of loans shall not issue certificates to a greater amount than the sums due to the states in which they respectively act, nor for a greater amount of interest than shall be the proportion of such state; and that no interest shall be paid before the last day of March, one thousand seven hundred and ninety-five:"

It passed in the negative.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives of the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act laying certain duties upon snuff and refined sugar," was read the second time.

*Ordered*, That this bill be referred to Messrs. Ellsworth, Cabot, and Izard, to consider and report thereon to the Senate.

After consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

#### THURSDAY, MAY 29, 1794.

Mr. Gunn, from the committee to whom was referred the bill, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," reported amendments, which were adopted, and the bill was amended accordingly.

*Ordered*, That this bill pass to the third reading.

The Vice President laid before the Senate the report of the Secretary for the Department of War, on four additional claims for compensation to invalid pensioners, which was read.

*Ordered*, That the report lie for consideration.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States and the individual states;" also, the bill, entitled "An act to compensate Arthur St. Clair;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act laying duties upon carriages for the conveyance of persons;" a bill, entitled "An act for the more effectual protection of the southwestern frontier settlers;" and a bill, entitled "An act providing for the payment of the second instalment, due on a loan made of the Bank of the United States;" in which several bills they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the Vice President. And he withdrew.

The Vice President signed the enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Vining reported, from the Committee on Enrolled Bills, that they did yesterday lay before the President of the United States the bill, entitled "An act to alter the time for the next annual meeting of Congress;" the bill, entitled "An act further extending the time for receiving on loan the domestic debt of the United States;" and the bill, entitled "An act to continue in force the act for the relief of persons impri-



soned for debt." Also, that they had this day laid before the President of the United States the enrolled bill, entitled "An act making provision for the payment of the interest on the balances due to certain states, upon a final settlement of the accounts between the United States, and the individual states;" and the bill, entitled "An act to compensate Arthur St. Clair."

The three last bills brought from the House of Representatives for concurrence were severally read.

*Ordered*, That they severally pass to the second reading.

The engrossed bill to increase the military force of the United States, and to encourage the recruiting service, was read the third time.

On motion to add the following, as an additional section to the bill:

"And be it further enacted, That, in case a war shall break out between the United States and any European power, at any time within two years, all non-commissioned officers, musicians, and privates, then in service under this act, or any act for raising troops heretofore passed, who shall be willing to re-enlist to serve in the troops of the United States to the end of such war, shall be permitted so to re-enlist, and such re-enlistment shall thereafter entitle them to receive an addition to their pay of one dollar and fifty cents per month:"

It passed in the negative.

On motion to restore the third section of the bill, stricken out in the second reading, to wit:

"And be it further enacted, That, from and after the first day of July next, there shall be allowed to each non-commissioned officer, musician, and private, who shall then or afterwards be in service on the present military establishment, or under this act, the additional pay of one dollar per month:"

It passed in the negative, { Yeas . . . . . 7  
Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Henry, Izard, Potts, and Vining.

Those who voted in the negative, are,

Messrs. Brown, Foster, Frelinghuysen, Gunn, Hawkins, Jackson, King, Livermore, Martin, Morris, Robinson, Ross, and Rutherford.

On motion, that this bill pass:

It passed in the affirmative, { Yeas . . . . . 12  
Nays . . . . . 8.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Frelinghuysen, Gunn, Henry, Izard, King, Morris, Potts, Rutherford, and Vining.

Those who voted in the negative, are,

Messrs. Brown, Foster, Hawkins, Jackson, Livermore, Martin, Robinson, and Ross.

So it was,

*Resolved*, That this bill pass, and that the title thereof be, "An act to increase the military force of the United States, and to encourage the recruiting service."

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in this bill.

On motion,

*Ordered*, That three hundred copies of the report of the Commissioners of the Sinking Fund, made on the sixteenth day of December last, be printed for the use of the Senate.

After the consideration of the Executive business,

The Senate adjourned until 11 o'clock to-morrow morning.

FRIDAY, MAY 30, 1794.

The bill sent from the House of Representatives for concurrence, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," was read the third time, and further amended by striking out the words from the end of the 12th section, 'in case of sickness, absence, or for other sufficient causes,' and inserting, in lieu thereof, these words: 'in cases of occasional and necessary absence, or of sickness, and not otherwise.'

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.



A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives do not concur in the bill sent from the Senate, entitled "An act to increase the military force of the United States, and to encourage the recruiting service."

They have passed a bill, entitled "An act to authorize the President of the United States to lay, regulate, and revoke embargoes," in which they desire the concurrence of the Senate.

The President of the United States hath notified the House of Representatives that he this day approved and signed "An act to alter the time for the next annual meeting of Congress." And he withdrew.

The bill last brought from the House of Representatives for concurrence was read.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States this day approved and signed the following acts: "An act to continue in force the act for the relief of persons imprisoned for debt;" and, "An act further extending the time for receiving on loan the domestic debt of the United States."

*Ordered,* That the Secretary communicate this notice to the House of Representatives.

The bill, sent from the House of Representatives for concurrence, entitled "An act providing for the payment of the second instalment due on a loan made of the Bank of the United States," was read the second time.

On motion,

It was agreed to dispense with the rule, and that this bill be now read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the more effectual protection of the southwestern frontier settlers," was read the second time.

On motion,

It was agreed to amend the bill, so as that the number of the militia to be called out shall not exceed five thousand.

On motion,

*Ordered,* That this bill be referred to Messrs. King, Jackson, Rutherford, Potts, and Ellsworth, to consider and report thereon to the Senate.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the President of the United States to lay, regulate, and revoke, embargoes," be now read the second time; and,

On motion, to agree to the first section of the bill, as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he hereby is, authorized and empowered, whenever, in his opinion, the public safety shall so require, to lay an embargo on all ships and vessels in the ports of the United States, or upon the ships and vessels of the United States, or the ships and vessels of any foreign nation, under such regulations as the circumstances of the case may require, and to continue or revoke the same whenever he shall think proper. And the President is hereby fully authorized to give all such orders to the officers of the United States as may be necessary to carry the same into full effect: Provided, the authority aforesaid shall not be exercised while the Congress of the United States shall be in session. And any embargo which may be laid by the President as aforesaid shall cease and determine in fifteen days from the actual meeting of Congress next after laying the same:"

It passed in the affirmative, { Yeas . . . . . 14  
  { Nays . . . . . 5.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Brown, Foster, Frelinghuysen, Hawkins, Henry, Jackson, Izard, King, Martin, Potts, Robinson, Rutherford, and Vining.

Those who voted in the negative, are,

Messrs. Cabot, Ellsworth, Livermore, Morris, and Ross.

*Ordered,* That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act laying duties upon carriages for the conveyance of persons," was read the second time.

*Ordered*, That this bill be referred to the committee to whom is referred the bill, entitled "An act laying certain duties upon snuff and refined sugar," to consider and report thereon to the Senate.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

### SATURDAY, MAY 31, 1794.

The Vice President being absent, the Senate proceeded to the election of a President pro tempore, as the constitution provides, and the honorable Ralph Izard was duly elected.

*Ordered*, That the Secretary wait on the President of the United States, and lay before him an attested copy of this proceeding.

*Ordered*, That the Secretary notify the House of Representatives of this election of a President pro tempore.

Mr. King, from the committee to whom was referred the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers," reported, that the bill do not pass; and, after debate,

*Ordered*, That the further consideration of the report be postponed until Monday next.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act providing for the payment of the second instalment due on a loan made of the Bank of the United States," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the following bills: a bill, entitled "An act laying duties on property sold at auction;" a bill, entitled "An act providing for the payment of a certain sum of money due to the French Republic;" a bill, entitled "An act laying duties on licences for selling wines, and foreign distilled spirituous liquors, by retail;" and a bill, entitled "An act for the relief of John Robbe;" in which several bills they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The four bills last brought from the House of Representatives for concurrence were severally read.

*Ordered*, That these bills severally pass to the second reading.

The President of the Senate signed the enrolled bill, entitled "An act providing for the payment of the second instalment due on a loan made of the Bank of the United States," and it was delivered to the committee, to be laid before the President of the United States for his approbation.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the President of the United States to lay, regulate, and revoke, embargoes," was read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Brown, from the committee to whom was referred the bill, entitled "An act to authorize the settlement of the account of Lewis Dubois, for his services in the late army of the United States," reported that the bill pass without amendment, and the report was adopted.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Ellsworth, from the committee to whom was referred the bill, entitled "An act laying certain duties upon snuff and refined sugar," reported amendments.

*Ordered*, That the amendments be printed for the use of the Senate, and that the further consideration of the bill be postponed until Monday next.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr President*: The House of Representatives agree to some, and disagree to other

amendments of the Senate to the bill, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," ask a conference on the disagreeing votes thereon, and have appointed managers at the same on their part.

The President of the United States hath notified the House of Representatives that he this day approved and signed "An act making provision for the payment of the interest on the balances due to certain states upon a final settlement of the accounts between the United States and the individual states," and "An act to compensate Arthur St. Clair." And he withdrew.

The Senate proceeded to consider the resolution of the House of Representatives disagreeing to sundry amendments to the bill, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," and asking a conference on the disagreeing votes thereon.

*Resolved*, That the Senate *insist* on their amendments to the said bill, agree to the proposed conference, and that Messrs. Ellsworth, King, and Cabot, be managers at the same on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock on Monday morning.

### MONDAY, JUNE 2, 1794.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act to extend the term of credit for teas imported in the ship Argonaut, and to permit the export of goods saved out of the wreck of the snow Freelove," in which they desire the concurrence of the Senate."

They have passed the bill sent from the Senate for concurrence, entitled "An act for extending the benefit of a drawback and terms of credit in certain cases and for other purposes." And he withdrew.

Mr. Beckley also brought up a vote of the House of Representatives, dated June the 2d, 1794, as follows:

The Speaker laid before the House a letter from Francis Joachin Van Aken, styling himself assistant judge, addressed to the Congress of the United States, and dated Orebro in Sweden, the 1st of January, 1794, stating the particulars of his discovery of an art described in the Swedish language, for extinguishing fires and preventing conflagrations, whether in war or peace, on board vessels, or in houses on fire, which was read and ordered to be sent to the Senate for their information.

The bill last mentioned to have been brought from the House of Representatives for concurrence, was read.

*Ordered*, That this bill pass to the second reading.

The vote of the House of Representatives last recited was read.

*Ordered*, That the vote and letter therein referred to lie on the table.

A motion was made that it be

*Resolved*, The House of Representatives concurring herewith, that the resolution of the two Houses passed the 22d day of May, authorizing the President of the Senate and Speaker of the House of Representatives to adjourn their respective Houses on Tuesday the 3d day of June, be, and the same is hereby repealed, and that the President of the Senate and the Speaker of the House of Representatives be, and they are hereby, authorized to adjourn their respective Houses on — day of June instant.

*Ordered*, That the consideration of this motion be postponed until to-morrow.

The Senate proceeded to consider the amendments reported by the committee to whom was referred the bill, entitled "An act laying certain duties upon snuff and refined sugar."

On motion to expunge the two first sections of the bill, as follows:

"SEC. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, from and after the thirtieth day of September next, there be levied, collected, and paid upon snuff, which, after that day, shall be manufactured for sale within the United States, at any manufactory, for every pound of snuff eight cents.

"SEC 2 And be it further enacted, That, from and after the said thirtieth day of September next, there be levied, collected, and paid, upon all sugar which shall be refined within the United States, a duty of two cents per pound."

It passed in the negative, { Yeas . . . . . 7  
 { Nays . . . . . 13.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Burr, Jackson, Livermore, Morris, Robinson, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Hawkins, Henry, King, Martin, Potts, Rutherford, and Vining.

The amendments reported by the committee were severally adopted, and the bill was further amended.

A motion was made,

“That the consideration of this bill be postponed, and a committee appointed to bring in a bill laying certain duties upon the utensils, engines, and machines, used in the manufactories of snuff, and the refinement of sugar, as a substitute for this bill;” and,

It passed in the negative.

*Ordered*, That this bill pass to the third reading.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled “An act to authorize the President of the United States to lay, regulate, and revoke, embargoes;” and the bill, entitled “An act to authorize the settlement of the account of Lewis Dubois, for his services in the late army of the United States;” and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the two enrolled bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Ellsworth, from the managers at the conference on the disagreeing votes of the two Houses, on the amendments of the Senate to the bill, entitled “An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas,” reported,

That the Senate recede from their amendment to the 12th section;

That the House of Representatives agree to the amendment proposed by the Senate to the 5th section;

That the House of Representatives agree to the amendment proposed by the Senate to the 13th section, with an amendment, by striking out ‘supervisors,’ and that the Senate agree to such amendment of their amendment;

That the Senate recede from their amendment to strike out the 16th section; and that both Houses agree to amend the said section, by striking out ‘weekly,’ in the second line, and inserting ‘for any term of time less than one year, and not less than one month;’

That the House of Representatives agree to the amendment proposed by the Senate to the 17th section, with an amendment, by inserting after ‘left at his dwelling,’ by the collector, and that the Senate agree to such an amendment of their amendment;

That the House of Representatives agree to the amendment proposed by the Senate to insert, after the 17th section of the bill, two additional sections;

And that both Houses agree to alter the 9th section, by inserting after ‘states’ in the 2d line, ‘and of the territory of the United States northwest of the river Ohio, and of the territory of the United States south of the river Ohio.’

And the report was adopted.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I send you certain communications, recently received from Georgia, which materially change the prospect of affairs in that quarter, and seem to render a war with the Creek nations more probable than it has been at any antecedent period. While the attention of Congress will be directed to the consideration of measures suited to the exigency, it cannot escape their observation, that this intelligence brings a fresh proof



of the insufficiency of the existing provisions of the laws, towards the effectual cultivation and preservation of peace with our Indian neighbors.

G. WASHINGTON.

*United States, June 2, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

Mr. Ellsworth, from the committee to whom was referred the bill, entitled "An act laying duties upon carriages for the conveyance of persons," reported that the bill pass without amendment.

*Ordered*, That the report lie for consideration.

After the consideration of the Executive business,

The Senate adjourned to 11 o'clock to-morrow morning.

**TUESDAY, JUNE 3, 1794.**

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act in addition to the act for the punishment of certain crimes against the United States," with amendments, in which they desire the concurrence of the Senate. And he withdrew.

Mr. Beckley also brought up the following resolution of the House of Representatives for concurrence;

*Resolved*, That the resolution of the 21st ultimo, authorizing the President of the Senate and Speaker of the House of Representatives to close the present session, by adjourning their respective Houses on this day, be repealed; and that, instead thereof, they be authorized to adjourn their respective Houses on Thursday the 5th instant, to meet on the day by law appointed.

The resolution being read;

On motion to strike out 'Thursday the 5th' and insert 'Friday the 6th,'

It passed in the negative.

*Resolved*, That the Senate concur in this resolution.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The bill sent from the House of Representatives for concurrence, entitled "An act laying certain duties upon snuff and refined sugar," was read the third time.

On motion to substitute six in lieu of eight cents in the last line of the 1st section of the bill;

It passed in the negative.

On motion to add the following to the 14th section of the bill:

"Provided this restriction shall not extend to prohibit the importation of sugar from the province of Canada in vessels of less burthen; any thing to the contrary notwithstanding:"

It passed in the negative.

On motion, it was agreed to amend the bill, by annexing the following proviso to the 14th section:

"Provided, that no drawback shall be allowed on the exportation of either of the said articles in any instance where the same shall amount to less than twelve dollars."

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to all the modifications of the amendments to the bill, entitled "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas," as proposed by the committee of conference, except the amendment to the twelfth section, which the House of Representatives have agreed to in their first proceeding on the amendments of the Senate. The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate, for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill, entitled "An act for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes," and it was delivered to the committee to be laid before the President of the United States for his approbation.

The report of the committee to whom was referred the bill, entitled "An act for the more effectual protection of the southwestern frontiers," was considered.

On motion,

*Ordered*, That this bill be recommitted; and that the message of the President of the United States of the 2d instant be also referred to the same committee, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," was read the third time.

On motion to insert the following in the first section of the bill, to wit: after 'coffee per pound,' 'on salt per bushel three cents,'

It passed in the negative.

On motion,

It was agreed to strike out the following words, after 'shoes and slippers for children,' 'on coal per bushel, one and a half cents.'

On motion,

It was agreed to amend the bill, by inserting, after 'coffee per pound,' these words: 'on clayed or lump sugar, one cent per pound.'

On motion to restore the fourth section of the bill, amended as follows:

"And be it further enacted, That, upon all ships or vessels of the United States, there shall be levied and paid, after the last day of June next, a duty of six cents per ton, in addition to the duty now chargeable by law; and upon all ships or vessels belonging wholly or in part to the subjects or citizens of any foreign power, which, after the said last day of June next, shall be entered in the United States, from any foreign port or place, there shall be levied and paid a duty of twenty-five cents per ton, in addition to the duty now chargeable by law."

It passed in the negative.

On motion,

It was agreed to expunge these words from the first section, line 38: 'except window glass.'

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The report of the committee to whom was referred the bill, entitled "An act laying duties upon carriages for the conveyance of persons," was considered and adopted.

*Ordered*, That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act laying duties on licences for selling wines and foreign distilled spirituous liquors, by retail," was read the second time.

*Ordered*, That this bill be referred to Messrs. Cabot, Ellsworth, and King, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act laying duties on property sold at auction," was read the second time.

*Ordered*, That this bill be referred to the committee last named, to consider and report thereon to the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of John Robbe," was read the second time.

*Ordered*, That this bill be referred to Messrs. Livermore, Brown, and Hawkins, to consider and report thereon to the Senate.

Mr. Livermore, from the said committee, reported, that the bill last mentioned pass without amendment.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act laying certain duties upon snuff and refined sugar." And he withdrew.

The bill sent from the House of Representatives for concurrence, entitled "An act providing for the payment of a certain sum of money due to the French Republic," was read the second time.

The President of the United States hath notified the House of Representatives that

he this day approved and signed the following acts, to wit: "An act to authorize the President of the United States to lay, regulate, and revoke embargoes;" "An act providing for the payment of the second instalment due on a loan made of the Bank of the United States;" and "An act to authorize the settlement of the account of Lewis Dubois for his services in the late army of the United States."

The House of Representatives have passed a bill, entitled "An act supplementary to the act, entitled "An act to promote the progress of useful arts;" a bill, entitled "An act concerning invalids;" a bill, entitled "An act to make further compensation for the services of the late Robert Forsyth, marshal of Georgia;" and a bill, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts;" in which several bills they desire the concurrence of the Senate.

The House of Representatives agree to some and disagree to other amendments of the Senate to the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels." And he withdrew.

The President of the Senate signed the five bills last mentioned to have been examined, and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had this day laid the five bills last referred to before the President of the United States.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States hath this day approved and signed "An act for extending the benefit of a drawback and terms of credit in certain cases, and for other purposes."

*Ordered,* That the Secretary acquaint the House of Representatives therewith.

Mr. Cabot, from the committee, to whom was referred the bill, entitled "An act laying duties on licences for selling wines and foreign distilled spirituous liquors, by retail," reported amendments, which were adopted.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

*Resolved,* That this bill pass with amendments.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed "a resolution that a joint committee of both Houses be appointed to wait on the President of the United States and request that he would recommend to the people of the United States a day of public humiliation and prayer, to be observed, by supplicating Almighty God, for the safety, peace, and welfare, of these states;" they have appointed a committee on the part of the House, and desire the concurrence of the Senate, and the appointment of a committee on their part. And he withdrew.

Mr. Cabot, from the committee to whom was referred the bill, entitled "An act laying duties on property sold at auction," reported amendments, which were read and adopted.

*Ordered,* That this bill pass to the third reading.

The bill sent from the House of Representatives for concurrence, entitled "An act to make further compensation for the services of the late Robert Forsyth, marshal of Georgia;" was read.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the second time.

*Ordered,* That this bill be referred to Messrs. Vining, Jackson, and King, to consider and report thereon to the Senate.

Mr. Vining, from the committee on the bill last named, reported amendments, which were read and adopted; and

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill be now read the third time.

*Resolved,* That this bill pass with amendments.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The Senate proceeded to consider the resolution of the House of Representatives disagreeing to sundry of their amendments to the bill, entitled "An act laying addi-



tional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels."

On motion,

That the Senate recede from their amendments disagreed to:

It passed in the negative.

*Resolved*, That the Senate *insist* on their said amendments, and ask a conference on the disagreeing votes of the two Houses thereon; and that Messrs. Gunn, King, and Ellsworth, be managers at the same on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the proposed conference on the disagreeing votes of the two houses, on the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," and have appointed managers at the same on their part. And he withdrew.

The bill, sent from the House of Representatives for concurrence, entitled "An act supplementary to the act, entitled 'An act to promote the progress of useful arts,'" was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Potts, Burr, and Cabot, to consider and report thereon to the Senate.

Mr. Potts, from the committee on the bill last mentioned, reported amendments, which were read and adopted.

*Ordered*, That this bill pass to the third reading.

The following written message was received from the President of the United States, by Mr. Dandridge, his Secretary:

*Gentlemen of the Senate,*

*and of the House of Representatives:*

I lay before Congress the copy of a letter, with its enclosures, from the Secretary of State to the minister plenipotentiary of his Britannic Majesty, it being an answer to a letter from the minister to him, bearing date the 22d ultimo, and already communicated.

G. WASHINGTON.

*United States, June 4, 1794.*

The message and papers therein referred to were read.

*Ordered*, That they lie for consideration.

The bill, sent from the House of Representatives for concurrence, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts," was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Vining, Martin, and Brown, to consider and report thereon to the Senate.

Mr. King, from the committee to whom was referred the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers," reported amendments, which were read.

*Ordered*, That the amendments be printed for the use of the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act to authorize the President of the United States, during the recess of the present Congress, to cause to be built a number of vessels, to be equipped as galleys, in the service of the United States," with amendments, in which they desire the concurrence of the Senate.

The President of the United States hath notified the House of Representatives, that he this day approved and signed "An act to extend the term of credit for teas imported in the ship Argonaut, and to permit the export of goods saved out of the wreck of the snow Frelove;" and "An act for the relief of John Rebbe."

The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act laying duties on licences for selling wines, and foreign distilled spirituous liquors, by retail."

They have passed the bill, sent from the Senate for concurrence, entitled "An act

authorizing a settlement of certain expenses of the commissioners of loans." And he withdrew.

Mr. Jackson, from the committee to whom was referred the bill, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line, on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota,'" reported amendments, which were read.

*Ordered*, That the amendments lie for consideration.

On motion,

*Ordered*, That the Secretary for the Department of War do lay before the Senate a statement of the number of non-commissioned officers and privates, now actually in the service of the United States, upon the military establishment.

The bill, sent from the House of Representatives for concurrence, entitled "An act concerning invalids," was read.

*Ordered*, That this bill pass to the second reading.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

#### THURSDAY, JUNE 5, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act laying duties on licences for selling wines and foreign distilled spirituous liquors by retail;" the bill, entitled "An act laying duties upon carriages for the conveyance of persons;" the bill, entitled "An act to authorize the President of the United States, during the recess of the present Congress, to cause to be purchased or built a number of vessels, to be equipped as galleys or otherwise, in the service of the United States;" and the bill, entitled "An act authorizing a settlement of certain expenses of the commissioners of loans;" and that they were duly enrolled.

The President laid before the Senate a letter from the Secretary for the Department of War, accompanying a statement of the troops of the United States, according to the last returns; which was read.

*Ordered*, That this return lie on the table.

Mr. Martin, from the committee to whom was referred the bill, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place for holding certain courts," reported amendments; which were adopted.

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act in addition to the act for making further and more effectual provision for the protection of the frontiers of the United States," with an amendment; in which they desire the concurrence of the Senate.

They have passed a bill, entitled "An act for the relief of Nicholas Reib;" in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate, for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bills last reported to have been examined; and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Vining reported, from the committee, that they had this day laid the enrolled bills, last mentioned to have been signed, before the President of the United States.

The report of the committee on the bill, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the little Miami and Sciota,'" was considered and adopted.

*Ordered*, That the bill be printed as it is reported to be amended.

The Senate proceeded to consider the amendment of the House of Representatives to the bill, entitled "An act in addition to the act for making further and more effectual provision for the protection of the frontiers of the United States."

*Resolved*, That the Senate concur in the said amendment.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, sent from the

Senate for concurrence, entitled "An act for the remission of the duties on certain distilled spirits destroyed by fire."

They agree to the amendments of the Senate to the bill, entitled "An act to make further compensation for the services of the late Robert Forsyth, marshal of Georgia."

They have passed "A resolution directing the Secretary at War to make out and return to the district judges certain lists in the cases of invalid pensioners;" in which they desire the concurrence of the Senate. And he withdrew.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act to make provision for the widow and orphan children of Robert Forsyth," and that it was duly enrolled.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President:* The President of the United States this day approved and signed "An act in addition to the act for the punishment of certain crimes against the United States."

*Ordered.* That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed the bill, sent from the Senate for concurrence, entitled "An act allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the year one thousand seven hundred and ninety-four."

The President of the United States hath notified the House of Representatives that he this day approved and signed "An act making further provision for securing and collecting the duties on foreign and domestic distilled spirits, stills, wines, and teas."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill, entitled "An act to make provision for the widow and orphan children of Robert Forsyth," and it was delivered to the committee, to be laid before the President of the United States for his approbation.

On motion,

*Resolved,* That the resolution of the 3d instant, authorizing the President of the Senate and the Speaker of the House of Representatives to close the present session by adjourning their respective Houses on this day, be rescinded; and that, instead thereof, they be authorized to adjourn their respective Houses on Monday, the 9th instant, to meet at the day by law appointed.

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this resolution.

The President laid before the Senate a letter from the Secretary for the Department of War, submitting further information relative to the recent events upon the southwestern frontiers.

The letter and communication therein referred to were read.

*Ordered,* That they lie for consideration.

The Senate proceeded to consider the amendments reported by the committee to whom was referred the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers."

On motion,

To adopt the report of the committee, so far as that the three first sections of the bill, as it came from the House of Representatives, be struck out, to wit:

"Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States be, and he is hereby, authorized to call out, from time to time, as occasion may require, any number of militia belonging to the state of Georgia; South Carolina, North Carolina, Virginia, or the territory south of the river Ohio, not exceeding in the whole ten thousand, as may at any time be, by him, thought necessary to carry on offensive operations against the Creek and Cherokee nations or tribes of Indians: Provided, That the militia to be called out be not continued in service for a longer term than six months at any one time.

"Sec. 2. And be it further enacted, That the President of the United States be authorized to establish such military posts as he may deem necessary for the permanent security of the southwestern frontier settlers; and that the posts so to be established shall be guarded by troops from the line of the present military establishment, or by militia from the states and territory aforesaid, as the President may judge most expedient; and between every two of the said posts there shall be kept up a constant patrol of mounted rangers.

"Sec. 3. And be it further enacted, That the militia to be employed by virtue of this act shall, while in service, be entitled to receive the same rations, pay, and clothing, or money in lieu thereof, as the troops now in the service of the United States are entitled to:"

It passed in the affirmative, { Yeas . . . . . 16  
Nays . . . . . 3.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Brown, Burr, Cabot, Ellsworth, Foster, Frelinghuysen, Hawkins, Henry, King, Livermore, Morris, Potts, Ross, Rutherford, and Vining.

Those who voted in the negative, are,

Messrs. Gunn, Jackson, and Martin.

On motion,

That the first section of the bill pass as reported by the committee, and agreed to be amended in Senate, to wit:

Sec. 1. Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the President of the United States shall be, and he hereby is, authorized to raise, for three years, unless sooner discharged, within the states of Georgia, South Carolina, North Carolina, the territory south of the Ohio, and Virginia, an additional regiment of infantry, consisting of one thousand one hundred and forty non-commissioned officers and privates, and solely to appoint the commissioned officers thereto, and organize the same according to the present establishment: Provided, That, if the President of the United States shall be of opinion that any part of the legion now in service, whether officers or privates, can, without detriment to the public service, be transferred and constitute a part of the regiment herein provided, he be authorized to make such transfer:

It passed in the affirmative, { Yeas . . . . . 13  
Nays . . . . . 4.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Henry, Jackson, King, Livermore, Morris, Potts, and Rutherford.

Those who voted in the negative, are,

Messrs. Brown, Burr, Martin, and Ross.

On motion,

The blank in the second section reported by the committee was filled with 'twenty,' and the section adopted as follows:

Sec. 2. And be it further enacted, That the non-commissioned officers, privates, and musicians, of the said regiment shall receive as a bounty after their enlistment the sum of *twenty* dollars, and that they, together with the commissioned officers, shall receive the same pay and allowances, in all respects, and be governed by the same rules and articles of war, as the other troops of the United States.

On motion to agree to the report of the committee of a section as follows:

Sec. 3. And be it further enacted, That the President of the United States be, and he is hereby, authorized to establish such military posts without the jurisdiction of any individual state or the territory aforesaid, as he may deem necessary for the permanent security of the southwestern frontiers, and that the said posts shall be guarded by troops on the establishment or by the militia:

It passed in the negative.

On motion,

The Senate agreed to adopt the report of the committee of a fourth and fifth section to the bill, as follows:

Sec. 4. And be it further enacted, That, whenever the United States shall be invaded, or in imminent danger of invasion, from any nation or tribe of Indians, it shall be lawful for the President of the United States to call forth such number of the militia of the state or states most convenient to the place of danger or scene of action, as he may judge necessary to repel such invasion, and to issue his orders for that purpose to such officer or officers of the militia as he shall think proper.

Sec. 5. And be it further enacted, That the militia to be employed by virtue of this act shall, while in service, be entitled to receive the same rations, pay, and clothing, or money in lieu thereof, as the troops now in the service of the United States are entitled to.

On motion to expunge the 6th section reported by the committee, as follows:

Sec. 6. And be it further enacted, That all persons who shall be assembled or embodied in arms upon any land belonging to Indians out of the ordinary jurisdiction of any



state or the territory aforesaid, for the purpose, or with the intent, of warring against the Indians, or of committing depredations on any Indian town, or person, or property, shall thereby become subject to the rules and articles of war, which are, or shall be, established for the government of the troops of the United States:

It passed in the negative,  $\left\{ \begin{array}{l} \text{Yeas} \dots\dots 7 \\ \text{Nays} \dots\dots 10. \end{array} \right.$

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Burr, Frelinghuysen, Gunn, Henry, Jackson, Martin, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Hawkins, King, Livermore, Morris, Potts, and Vining.

On motion to agree to a 7th section reported by the committee, as follows:

Sec. 7. And be it further enacted, That, if the President of the United States shall deem the same conducive to the good of the public service, he be, and hereby is, authorized to appoint a major general to command the troops authorized by this act, who shall receive the same pay and allowances as are granted to a major general by the act, entitled "An act for making further and more effectual provision for the protection of the frontiers of the United States:"

It passed in the negative.

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives concur in the resolution sent from the Senate, rescinding the resolution for adjourning the two Houses on this day, and, instead thereof, they agree to an adjournment on the 9th instant.

They have passed a bill, entitled "An act to continue in force, for a limited time, the act supplementary to 'the act for the establishment and support of light houses, beacons, buoys, and public piers,'" and a bill, entitled "An act to continue in force, for a limited time, the act, entitled 'An act to ascertain the fees in admiralty proceedings in the district courts of the United States and for other purposes,'" in which several bills they desire the concurrence of the Senate.

They insist on one and recede from other amendments disagreed to by the Senate on the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels." And he withdrew.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States this day approved and signed "An act to authorize the President of the United States, during the recess of the present Congress, to cause to be purchased or built a number of vessels to be equipped as galleys or otherwise, in the service of the United States;" and "An act authorizing a settlement of certain expenses of the commissioners of loans."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Gunn reported, from the managers at the conference on the disagreeing votes of the two Houses, on the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels."

Whereupon,

*Resolved*, That the Senate so far recede from their amendment to the first section, as that the duty on coal stand at one half cent per bushel.

They also recede from their last amendment to the first section, which was to strike out 'the words except window glass.'

*Ordered*, That the Secretary communicate this resolution to the House of Representatives.

After the consideration of the Executive business,

The Senate adjourned to 10 o'clock to-morrow morning.

FRIDAY, JUNE 6, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act in addition to the act for making further and more effectual provision for the protection of the frontiers of the United States;" the bill, entitled "An act for the remission of the duties on certain distilled spirits destroyed by fire;" the bill, entitled "An act allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the

year one thousand seven hundred and ninety-four;" and the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels;" and that they were duly enrolled.

The bill, sent from the House of Representatives for concurrence, entitled "An act for the more effectual protection of the southwestern frontier settlers," was read the third time.

On motion,

It was agreed, by unanimous consent, to strike out these words from the second section reported by the committee, to wit: 'after their enlistment.'

On motion, it was agreed further to amend the second section reported by committee, by inserting these words after 'dollars:' 'one half to be paid immediately after enlistment, the other half at the end of three months thereafter.'

On motion, it was agreed further to amend the bill by striking out the fourth section reported by the committee.

*Resolved*, That this bill pass with the amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President.

The House of Representatives have resolved, that the committee of enrollments be authorized to amend the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," by striking out the word 'next,' in the second line of the first section, and, in lieu thereof, inserting the word 'instant;' also, by making a corresponding alteration throughout the bill, and by striking out, in the title thereof, the words 'and on the tonnage of ships or vessels;' and that the engrossed bill be amended conformably thereto; and that the concurrence of the Senate be requested, by message, in this resolution. And he withdrew.

The Senate proceeded to consider the resolution last mentioned, and,

*Resolved*, That they do concur therein.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence.

The President of the Senate signed the bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had this day laid the bills last signed by the President of the Senate, except the bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States, and on the tonnage of ships or vessels," before the President of the United States, together with the bill, entitled "An act to make provision for the widow and orphan children of Robert Forsyth."

Mr. Rutherford, from the committee to whom was referred the bill, entitled "An act for determining the northern boundary of the territory ceded to the United States, by the state of North Carolina," reported that the bill do not pass, and the report was adopted.

Whereupon,

*Resolved*, That the Senate do not concur in this bill.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

Mr. Vining, from the Committee on Enrolled Bills, reported, that they had altered the enrolled bill, mentioned in the resolution last sent from the House of Representatives, in conformity to said resolution, as agreed on by the two Houses.

The bill sent from the House of Representatives for concurrence, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts," was read the third time.

On motion,

It was agreed to strike out the word 'Delaware' from the second section, also the following words in the same section, 'and in Delaware on the third Monday in June.'

Also, to add, at the end of the section,

'And that the circuit court of the District of Delaware hereafter commence on the second Monday in June, instead of the 27th day of April; any law to the contrary notwithstanding.'

Also, to amend the third and fourth sections of the bill.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The President of the United States hath notified the House of Representatives that he yesterday approved and signed "An act laying certain duties upon snuff and refined sugar;" "An act laying duties upon carriages for the conveyance of persons;" and "An act laying duties on licences for selling wines and foreign distilled spirituous liquors by retail."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill, entitled "An act laying additional duties on goods, wares, and merchandise, imported into the United States," and it was delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Vining, from the Committee on Enrolled Bills, reported, that they had laid the last mentioned bill before the President of the United States.

The bill sent from the House of Representatives for concurrence, entitled "An act for the relief of Nicholas Reib," was read.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill have a second and third reading at this time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act to continue in force, for a limited time, the act, entitled "An act to ascertain the fees in admiralty proceedings, in the district courts of the United States, and for other purposes," was read.

On the question, Shall this bill be read a second time?

It passed in the negative.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act to continue in force, for a limited time, the act supplementary to the act for the establishment and support of light-houses, beacons, buoys, and public piers," was read.

On motion,

It was agreed, by unanimous consent, that the rule be dispensed with, and that this bill have at this time a second and third reading.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act supplementary to the act, entitled "An act to promote the progress of useful arts," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The bill sent from the House of Representatives for concurrence, entitled "An act to amend the act, entitled "An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the little Miami and Sciota," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

Mr. King, from the committee, to whom was referred the bill, entitled "An act providing for the payment of a certain sum of money due to the French Republic," reported that the bill do not pass.

*Ordered*, That the report lie for consideration, and that in the mean time it be printed for the use of the Senate.

The bill sent from the House of Representatives for concurrence, entitled "An act concerning invalids," was read the second time.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

*Resolved*, That this bill pass.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

The resolution sent from the House of Representatives for concurrence, "directing the Secretary at War to make out and return to the district judges certain lists in the cases of invalid pensioners," was read.

*Resolved*, That this resolution pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this resolution.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed the bill, entitled "An act to authorize the settlement of the claims of Griffith Jones, Samuel Prioleau, and John R. Livingston, against the United States," and a bill, entitled "An act declaring the consent of Congress to an act of the state of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a health officer;" in which several bills they desire the concurrence of the Senate. And he withdrew.

The bill last mentioned was read.

On motion, the rule was, by unanimous consent, dispensed with, and the bill was read the second time.

On motion,

*Ordered*, That this bill be referred to Messrs. Potts, Morris, and Gunn, to consider and report thereon to the Senate.

The bill, sent from the House of Representatives for concurrence, entitled "An act to authorize the settlement of the claims of Griffith Jones, Samuel Prioleau, and John R. Livingston, against the United States," was read.

On motion,

*Resolved*, That the further consideration of this bill be postponed until the next session of Congress.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The petition of George Nixon and others, clerks in the auditor's office, praying an increase of compensation, was read.

On motion,

*Ordered*, That this petition be referred to Messrs. Ellsworth, Livermore, and Morris, to consider and report thereon to the Senate.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act supplementary to the act, entitled 'An act to promote the progress of useful arts.'" And he withdrew.

The bill, sent from the House of Representatives for concurrence, entitled "An act laying duties on property sold at auction," was read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

The Senate adjourned to 10 o'clock to-morrow morning.

#### SATURDAY, JUNE 7, 1794.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the following bills, to wit: the bill, entitled "An act laying duties on property sold at auction;" the bill, entitled "An act to continue in force, for a limited time, the act, supplementary to the act for the establishment and support of light-houses, beacons, buoys, and public piers;" the bill, entitled "An act concerning invalids;" the bill, entitled "An act for the relief of Nicholas Reib;" and the bill, entitled "An act supplementary to the act, entitled 'An act to promote the progress of useful arts;'" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives have passed a bill, entitled "An act making appropriations for certain purposes therein expressed;" in which they desire the concurrence of the Senate.

The Speaker of the House of Representatives having signed several enrolled bills, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the bills last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States, for his approbation.



Mr. Vining reported, from the Committee for Enrolled Bills, that they had this day laid the bills last reported to have been duly enrolled before the President of the United States.

Mr. Potts, from the committee to whom was referred the bill, entitled "An act declaring the consent of Congress to an act of the state of Maryland, passed the twenty-eighth day of December, one thousand seven hundred and ninety-three, for the appointment of a health officer," reported amendments, which were read and adopted.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that this bill be now read the third time.

*Resolved*, That this bill pass with amendments.

*Ordered*, That the Secretary desire the concurrence of the House of Representatives in the amendments to this bill.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to "the resolution directing the Secretary at War to make out and return to the district judges certain lists in the cases of invalid pensioners;" "they also agree to the amendments of the Senate to the bill, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the little Miami and Sciota.'"

They disagree to the amendments of the Senate to the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers." And he withdrew.

The Senate proceeded to consider the resolution of the House of Representatives on the amendments to the bill last mentioned; and

*Resolved*, That they insist on their amendments to said bill, and that a conference be desired on the disagreeing votes of the two Houses, and that Messrs. King, Ellsworth, and Potts, be managers at the same on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the proposed conference, on the disagreeing votes of the two Houses, on the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers," and have appointed managers at the same on their part. And he withdrew.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for certain purposes therein expressed," was read.

On motion,

It was agreed to dispense with the rule, and that this bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Cabot, Ross, and Ellsworth, to consider and report thereon to the Senate.

The report of the committee to whom was referred the bill, entitled "An act providing for the payment of a certain sum of money due to the French Republic," was read, as follows:

"It appears, by a statement of the account between the United States and France, reported to the House of Representatives, that, according to the view which is entertained at the Treasury of that account, the United States, on the first day of January, 1794, were in advance to France the sum of two millions one hundred eleven thousand and eighty six livres tournois and five deniers (being 383,162 dollars and 11 cents) beyond the instalments of principal and all interest which had accrued to that period.

"It further appears, upon inquiry at the Treasury, that, since that period, there has been advanced on account of our debt to France the further sum of seventy one thousand two hundred and forty two dollars and eighty one cents.

"And it appears, likewise, from the papers referred to the committee, that the President has promised further payment upon the same account of 1,500,000 livres on the third of September next, and of 1,000,000 of livres on the 5th of November next, making together 453,750 dollars; which payments, it is understood, may be anticipated at the Bank of the United States, in the proportions and at the epochs which are desired by the minister of the French Republic.

"These sums embrace all the parts of principal which by contract would become payable to France during the year 1794, beyond which, were there no anticipations, nothing would be demandable during the present year but the interest on the balance

of the entire debt, which balance, on the 1st day of January, 1794, is computed at the Treasury at 2,611,587 dollars and 88 cents; whence, it results that the payments which have been made, and engaged to be made, exceed those which by the terms of contract could be demanded.

"This being the case, and the loan in question having been in its origin specifically appropriated to the purpose of the sinking fund;

"It is the opinion of the committee, that it is not advisable to divert it from its destination, as is proposed by the bill referred to them, and consequently that the bill should not pass."

On motion,

It was agreed to adopt the report of the committee.

On motion that the bill last reported on be considered in paragraphs,

It passed in the negative, { Yeas . . . . . 7  
  { Nays . . . . . 12.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Burr, Hawkins, Henry, Jackson, Martin, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, King, Livermore, Morris, Potts, Rutherford, and Vining.

And so the bill was rejected.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

A message from the President of the United States, by Mr. Dandridge, his Secretary:

*Mr. President*: The President of the United States hath this day approved and signed "An act in addition to the 'act for making further and more effectual provision for the protection of the frontiers of the United States;" "An act for the remission of the duties on certain distilled spirits destroyed by fire;" and "An act allowing an additional compensation to the principal clerks in the Department of State, and the Treasury and War Departments, for the year one thousand seven hundred and ninety-four."

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The House of Representatives agree to the amendments of the Senate to the bill, entitled "An act declaring the consent of Congress to an act of the state of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a health officer."

The President of the United States hath notified the House of Representatives that he this day approved and signed "An act laying additional duties on goods, wares, and merchandise, imported into the United States;" and "An act to make provision for the widow and orphan children of Robert Forsyth."

They have passed a "resolve directing the respective clerks of the district courts of the United States to return copies of the tables of fees payable in the supreme or superior court of the state in which he resides, to the attorney general;" in which they desire the concurrence of the Senate. And he withdrew.

The resolve last brought from the House of Representatives for concurrence was read.

*Resolved*, That the Senate concur therein.

*Ordered*, That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this resolution.

Mr. Vining reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act declaring the consent of Congress to an act of the state of Maryland, passed the twenty-eighth of December, one thousand seven hundred and ninety-three, for the appointment of a health officer;" the bill, entitled "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line, on continental establishment, to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota,'" the "resolve directing the respective clerks of the district courts of the United States to return copies of the tables of fees payable in the supreme or superior court of the state in which he resides to the attorney general;" and the "resolve directing the Secretary of War to make out and return to the district judges certain lists in the cases of invalid pensioners;" and that they were duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President*: The Speaker of the House of Representatives having signed two en-

rolled bills, and two enrolled resolves, I am directed to bring them to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the two bills and the two resolves last reported to have been examined, and they were delivered to the committee, to be laid before the President of the United States.

Mr. Vining reported, from the Committee for Enrolled Bills, that they had laid the last mentioned bills and resolves before the President of the United States.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives have passed a bill, entitled "An act making an extra allowance to certain clerks in the public offices, and to the widows and families of certain deceased clerks."

They have appointed a committee, to join such committee as shall be appointed on the part of the Senate, to wait on the President of the United States, and notify him of the proposed recess of Congress. And he withdrew.

The Senate proceeded to the consideration of the resolution last mentioned; and, *Resolved*, That they do concur therein, and that Messrs. Vining and King be the committee on the part of the Senate.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

The petition of James Mathers, doorkeeper to the Senate, for further compensation, was presented and read.

*Ordered*, That it be referred to the committee who had under consideration the petition of George Nixon and others, clerks in the auditor's office.

Mr. Ellsworth, from the committee last mentioned, reported that the prayer of the petition of James Mathers be not granted, and the report was adopted.

The bill sent from the House of Representatives for concurrence, entitled "An act making an extra allowance to certain clerks in the public offices, and to the widows and families of certain deceased clerks," was read.

On motion,

It was agreed, by unanimous consent, to dispense with the rule, and that the bill be now read the second time.

*Ordered*, That this bill be referred to Messrs. Ross, Bradford, and Morris, to consider and report thereon to the Senate.

Mr. Ross, from the committee last mentioned, reported, that the consideration of this bill be postponed until the next session of Congress, and the report was adopted.

Whereupon,

*Resolved*, That this bill do not pass.

*Ordered*, That the Secretary acquaint the House of Representatives that the Senate do not concur in this bill.

Mr. Ellsworth, from the committee to whom was referred the petition of George Nixon and others, clerks in the auditor's office, reported a bill, which was read.

On motion, the rule was dispensed with by unanimous consent, and the bill was read the second time.

On motion to amend the bill,

It passed in the negative.

And the bill being read by paragraphs;

*Ordered*, That this bill pass to the third reading.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives agree to some amendments, agree to some amendments with amendments, and disagree to other amendments, of the Senate on the bill, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts." And he withdrew.

The Senate proceeded to consider the resolution of the House of Representatives on the bill last mentioned; and,

*Resolved*, That they agree to the amendments of the House of Representatives to their amendments, and recede from their own amendments to the fourth section of the said bill.

*Ordered*, That the Secretary acquaint the House of Representatives therewith.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States hath notified the House of Representatives that he this day approved and signed "An act supplementary to the act, entitled 'An act to promote the progress of useful arts;'" "An act for the relief of Nicholas Reib;" "An act concerning invalids;" and "An act to continue in force, for a limited time, the act supplementary to 'the act for the establishment and support of light-houses, beacons, buoys, and public piers.'" And he withdrew.

Mr. Vining reported, from the joint committee, that they had waited on the President of the United States, and acquainted him with the intended recess of Congress on the 9th instant.

Mr. King, from the managers at the conference on the disagreeing votes of the two Houses on the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers," reported, that they could come to no agreement with the managers on the part of the House of Representatives.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives adhere to their disagreement to the amendments of the Senate to the bill, entitled "An act for the more effectual protection of the southwestern frontier settlers." And he withdrew.

On motion,

*Resolved,* That the Senate adhere to their amendments to the bill last mentioned.

*Ordered,* That the Secretary acquaint the House of Representatives therewith.

So the bill was lost.

Mr. Cabot, from the committee to whom was referred the bill, entitled "An act making appropriations for certain purposes therein expressed," reported that the bill pass without amendment; which report was adopted, and the bill being read in paragraphs,

*Ordered,* That this bill pass to the third reading.

After the consideration of the Executive business,

The Senate adjourned until 8 o'clock on Monday morning.

### MONDAY, JUNE 9, 1794.

On motion,

The rule was, by unanimous consent, dispensed with, and Mr. King obtained permission to introduce a bill for the more effectual protection of the southwestern frontiers; and the bill had its first and second reading.

On the question to agree to the first section of the bill, which is as follows:

"Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That, unless it shall be the opinion of the President of the United States, that a regiment of the troops, heretofore authorized to be raised, may, consistently with the good of the public service, be employed for the protection of the southwestern frontier, he be, and hereby is, authorized to cause to be raised, for three years, unless sooner discharged, within the states of Georgia, South Carolina, North Carolina, the territory south of the Ohio, and the state of Virginia, an additional regiment of infantry, consisting of one thousand one hundred and forty non-commissioned officers, musicians, and privates, and solely to appoint the commissioned officers thereof, and to organize the same according to the present military establishment."

It passed in the affirmative, { Yeas . . . . . 15  
Nays . . . . . 4.

The yeas and nays being required by one-fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Frelinghuysen, Gunn, Hawkins, Henry, Jackson, King, Livermore, Morris, Potts, Rutherford, and Vining.

Those who voted in the negative, are,

Messrs. Brown, Burr, Martin, and Ross.

On motion, by Mr. Jackson,

To postpone the last section of the bill, which is as follows:

"And be it further enacted, That all persons who shall be assembled or embodied in arms, upon any land belonging to Indians, out of the ordinary jurisdiction of any state, or of the said territory south of the Ohio, for the purpose of warring against the Indians, or of committing depredations upon any Indian town or persons or property, shall thereby become liable and subject to the rules and articles of war which are or shall be established for the government of the troops of the United States."

For the purpose of substituting the following:

"And be it further enacted, That any militia officer of the United States, or either of the states, conducting, authorizing, or attending, any expedition over the present boundary line between the respective states and any Indian tribe or nation, except in the pursuit of parties of Indians who may commit depredations on the persons or property of the citizens of the United States, for the purpose of attacking their Indian towns, or destroying their persons, or to commit other depredations on their rights, shall, in addition to the pains or penalties the law of the United States now subjects



him to, be liable to a trial by a general court martial, to be ordered by the executive of the state or territory to which such officer shall belong, and whose duty it is hereby declared to be to order such court martial, and shall, if found guilty thereof, be cashiered, and be forever thereafter disqualified from holding any commission in the militia of the United States, or of either of the states:"

It passed in the negative, { Yeas . . . . . 8  
Nays . . . . . 11.

The yeas and nays being required by one fifth of the Senators present,

Those who voted in the affirmative, are,

Messrs. Brown, Burr, Frelinghuysen, Gunn, Henry, Jackson, Martin, and Ross.

Those who voted in the negative, are,

Messrs. Bradford, Cabot, Ellsworth, Foster, Hawkins, King, Livermore, Morris, Potts, Rutherford, and Vining.

On motion, that this bill be now read the third time, by unanimous consent,

It was not agreed to.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act making certain alterations in the act for establishing the judicial courts, and altering the time and place of holding certain courts;" and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill last reported to have been examined, and it was delivered to the committee, to be laid before the President of the United States, for his approbation.

Mr. Foster reported, from the Committee for Enrolled Bills, that they this day laid the last mentioned enrolled bill before the President of the United States.

The bill for the further compensation of clerks in the auditor's office was read the third time.

*Resolved,* That this bill pass; that it be engrossed; and that the title thereof be, "An act for the further compensation of clerks in the auditor's office."

*Ordered,* That the Secretary desire the concurrence of the House of Representatives in this bill.

The bill, sent from the House of Representatives for concurrence, entitled "An act making appropriations for certain purposes therein expressed," was read the third time.

*Resolved,* That this bill pass.

*Ordered,* That the Secretary acquaint the House of Representatives with the concurrence of the Senate in this bill.

Mr. Foster reported, from the Committee on Enrolled Bills, that they had examined the bill, entitled "An act making appropriations for certain purposes therein expressed," and that it was duly enrolled.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The House of Representatives do not concur in the bill sent from the Senate, entitled "An act for the further compensation of clerks in the auditor's office."

The Speaker of the House of Representatives having signed an enrolled bill, I am directed to bring it to the Senate for the signature of the President. And he withdrew.

The President of the Senate signed the enrolled bill, entitled "An act making appropriations for certain purposes therein expressed," and it was delivered to the committee, to be laid before the President of the United States for his approbation.

Mr. Foster reported, from the Committee for Enrolled Bills, that they had this day laid the bill last mentioned before the President of the United States.

On motion, to rescind the resolution of both Houses that Congress adjourn on this day, and to agree to adjourn on Wednesday next,

It passed in the negative.

The President laid before the Senate a letter from the Treasurer of the United States, with his specie account for the quarter ending the 31st of March last, which were read, and

*Ordered,* That they lie for consideration.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* The President of the United States hath notified the House of Representatives that he this day approved and signed "An act laying duties on property

sold at auction;" "An act to amend the act, entitled 'An act to enable the officers and soldiers of the Virginia line on continental establishment to obtain titles to certain lands lying northwest of the river Ohio, between the Little Miami and Sciota;" "An act declaring the consent of Congress to an act of the state of Maryland, passed the 28th of December, one thousand seven hundred and ninety-three, for the appointment of a health officer;" "A resolve directing the respective clerks of the district courts of the United States to return copies of the tables of fees, payable in the supreme or superior court of the state in which he resides, to the Attorney General;" and a resolve directing the Secretary of War to make out and return to the district judges certain lists in the cases of invalid pensioners. And he withdrew.

The Senate proceeded to and finished the Executive business before them.

A message from the House of Representatives, by Mr. Beckley, their Clerk:

*Mr. President:* I am directed to notify the Senate that the House of Representatives, having finished the business of the session, are about to adjourn. And he withdrew.

*Ordered,* That the Secretary notify the House of Representatives that the Senate, likewise, having finished the business of the session, are about to adjourn; and he having reported that he had delivered the message;

The President of the Senate, conformable to the resolution of the 5th instant, adjourned the Senate to the day appointed by law for the next meeting of Congress.

Attest,

SAMUEL A. OTIS, *Secretary.*